

**ROLL CALL - PRESENT:**

Alderman Jean-Baptiste  
Alderman Moran

Alderman Engelman  
Alderman Rainey  
Alderman Newman

A Quorum was present.

**NOT PRESENT AT  
ROLL CALL:**

Aldermen Wynne, Kent

**ABSENT:**

Alderman Bernstein, Feldman

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton Monday, June 10, 2002 at 6:04 p.m. in the Aldermanic Library. Alderman Engelman 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 Jean-Baptiste.

(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 Section2.06.

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

At 7:12 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 9:27 p.m. in the City Council Chamber.

**Announcements:**

Public Works Director David Jennings reported on the video conference staff had that day with IDOT, IHPA and the Federal Highway Administration regarding the traffic signal project on Ridge Ave. He reported that prior to a public hearing, a Preliminary Case Report must be prepared and approved by IDOT and IHPA. The report will describe the historic background, all alternatives in the project, features of each alternative described and cost. Comments heard at the public hearing will be responded to and addressed in the final case report. After that report is prepared, the consulting parties, Federal Highway Administration, IDOT, Illinois Historic Preservation agency and the City will meet to prepare an agreement. Once the agreement is signed, it signals the end of the 106 process. This process will take about 2-3

months and construction will remain stopped until the 106 review is complete.

**Communications:** None

**CITIZEN COMMENT:**

Rev. Mark Adams, 2727 Crawford Ave., Hillside Free Methodist Church pastor, spoke on behalf of the Evanston Ecumenical Action Council in support of Resolution 43-R-02; said that support of House Resolution 40 allows the nation to ask questions about reparations. The recommendation is that the U.S. government begin to investigate the issue of reparations by asking the question nationally and getting the facts. He did not know what reparations would look like. Some ideas are outlandish and probably destructive, while others are symbolic or hollow. He thought somewhere in the middle would be the right thing to do. He suggested they would never know or do the right thing until the nation no longer prohibits them from asking the question. He said if reparations were ever adopted, all would pay. Reparations are not an individual concept, rather national restitution and would be dealt with nationally. He could imagine a nation where brotherhood is a reality. He said it was time to ask the question and engage in the debate that can bring about the American dream for everyone. He hoped Evanston could help encourage the nation to ask questions to start healing.

Neta Jackson, 917 Ashland Ave. resident since 1973. She and her husband are authors and recently wrote *No Random Act behind the Murder of Ricky Byrdson*. She stated it was important to stand up and be counted on the issue of reparations. In trying to understand racism, one stumbling block stands out. As a white person she does not have to face the consequences of racism daily, but black people do. She is not always aware of lingering racism because it does not directly affect her choices, but African Americans who are descendents of slaves don't have that choice. She said the racism that lingers, affects attitudes and practices and, in spite of strides of civil rights laws, is the legacy that affects their lives. She stated the New Testament says, "The eye cannot say to the hand I don't need you and the head cannot say to the feet I don't need you. If one part suffers every part suffers. If one part is honored every part rejoices." She believes this spiritual truth applies to Evanston and the nation. One cannot say to one part of the body, you are hurting, get over it. If one part of the body still suffers the effects of a long sickness, it affects all. She concluded that taking care of the part of the body that suffers will in the long run be good for all. She noted that some will say their ancestors were not slave owners so why should they make reparations for something they had nothing to do with. She said the opposite is true and that all living in this country reap the benefit of living in the greatest democracy in the world with benefits provided by people who lived, worked, died and fought for freedom built on the backs of people enslaved for over 246 years. The Christian faith has taught her that "No one has greater love than this, to lay down one's life for one's friends." To sacrifice something that builds up part of the body is not a sacrifice, but will benefit all.

Chuck Bodkin, long-time resident spoke in support of retaining the position of township assessor because this office is important. Ms. Eckersall and her assistant are cordial and help people appeal their property taxes. If it was abolished, people would have to go to Old Orchard or other offices for assistance. These offices handle other communities and don't always deal with Evanston residents as cordially as Ms. Eckersall, who has lived here her entire life and who knows Evanston and new problems in real estate that have arisen in recent years. He noted that senior citizens who don't drive would have to take a taxi or have someone drive them if that office is abolished. If there is a backlog of appeals at tax time, he suggested the assessor be given help. He noted that Ms. Eckersall has taken classes to improve her knowledge to better serve the public and does an excellent job of serving the community.

Ra Joy, suburban director for U.S. Rep. Jan Schakowsky and lifelong resident, read a letter from Congresswoman Schakowsky on Resolution 43-R-02 to Alderman Jean-Baptiste: "I was pleased to learn about the resolution you introduced at the City of Evanston Human Services Committee on Monday June 3. The proposed City Council resolution would call attention to the injustice of slavery and urge our federal government to investigate its negative effects. It has always been difficult for our country to come to grips with the unspeakable cruelty and massive human suffering resulting from slavery. It is estimated that more than four million Africans and their descendents were enslaved in the United States and its colonies from 1619 to 1865. I believe we must acknowledge this terrible chapter in American history and, where possible, make amends. I am proud to co-sponsor H.R. 40, a bill introduced by Representative John Conyers of Michigan. This bill would establish a commission to examine the institution of slavery and subsequent discrimination against African-Americans, study the impact of these forces on living African-Americans and make

recommendations on appropriate remedies to Congress. I believe this study will help stimulate public dialogue of significant importance and assist our nation in coming to terms with this unprecedented tragedy. Again, Alderman Jean-Baptiste, I thank you for helping to bring this important issue the attention it deserves. I believe the comprehensive instruction as outlined in your resolution will enhance the understanding of slavery and its lingering effects and help prevent such an atrocity from occurring again. I wish you much success in moving this resolution forward. Sincerely, Representative Jan Schakowsky.”

Ayinde Jean-Baptiste, stated that Resolution 43-R-02 represents all movements for social justice in world history. Universally, it will send a message to state and federal governments and communities throughout the nation, including Evanston. Evanston is an inclusive, diverse and welcoming community committed to equity in America and the world. He said in communities such as Evanston, that real people are concerned about justice in America and making amends for the pitfalls of the past. He noted not many young people were present but that did not mean young people are not concerned. ETHS and NU students have final exams that week. It warmed his heart to see such a cross-section of people present who are concerned about the issue of reparations. He hoped aldermen would vote to adopt the resolution so Evanstonians can look themselves in the mirror and say they are committed to the ideas that they propound daily.

Sidney Zwick, 1720 Washington St., spoke in opposition to the resolution; acknowledged the evils of slavery on African-Americans but did not believe the proposed remedy was appropriate. He taught history for 27 years in an all-black high school in Chicago and during that time became familiar with the situation of black Americans. He said in an important way, all have already atoned for slavery through the loss of over 650,000 lives during the Civil War. As a people they should not feel guilty for this horrible crime against African-Americans. Making reparations after this length of time to people who are the great, great, great grandchildren of those to whom the crimes were committed seemed to raise practical questions of insurmountable difficulty. It would make more sense to deal with problems faced by living African-Americans by improving the quality of education, providing more job opportunities and by doing things to make life better, which has been done in Evanston but sometimes not. He recalled that last year they dealt with the issue of building the District 65 administration building in a predominantly African-American community. The District board and City Council listened to the pleas of these citizens to preserve their park and prevent a lot of traffic from descending upon their neighborhood, which was completely ignored. He suggested it was hypocritical that they should be discussing how to improve the lives of African-Americans by doing the wrong thing. He said people know the evils of slavery and it does not need to be studied. He suggested that they needed to deal more honestly with the problems that all Americans face with inadequate health care, educational opportunities and funding to do those things.

Mary Goering, 715 Madison St., supported the resolution for reparations. She said that while reparations may deal with monetary reparations, she thought equally important was the development of a good understanding of the effects of slavery on American society. The problems mentioned by Mr. Zwick are rooted in this history. She suggested they need to understand who their ancestors are and why that matters. She noted all learn about ancestors of the country in school, such as George Washington and Benjamin Franklin. Her ancestors are the people who shaped the nation and that means ancestors who were slave traders and slave owners. She suggested that whole history needs to be dealt with. She said that history was inherited just as a person inherits a body, which has strengths, talents, sicknesses and weaknesses. She thought they tend to focus on strength and talents of which there are many in America, but often are blind to sicknesses and weaknesses. She suggested this resolution calls national attention to focus on that to come to a fuller understanding. She did not think it had to do with moral guilt. She is not morally guilty because other white people were slave owners and not morally good because George Washington and Thomas Jefferson were heroes. But she inherited this and needs to deal with the weakness and sickness. She thought this bill calls them to look at a sickness that deeply affects American society today and it was appropriate to speak as a city to the larger world about something important to people here.

Peter Glazer, 1208 Grant St., stated he was asked by neighbors to speak in support of Leahy Park renovation. He said there are a variety of ways to improve the park, which is next to the Chandler-Newberger Community Center. South of Lincoln, west of Ridge there is an unimproved ball field, an improved tennis court with lights and a small children’s playground that has not been improved for a long time. He and neighbors suggested limited park improvement funds for the upgrading of park facilities, which would include a children’s playground with equipment to make it safer for small children and possibly improve the ball field. Neighbors along Colfax have said flooding is a problem with runoff from the tennis courts into alleys adjacent to the park. He recommended that flooding mitigation be done with sewer or

roadway funds and use park funds to improve the playground for children.

Bennett Johnson, 708 Washington St., president, Evanston branch NAACP, stated national NAACP has a policy supporting reparations. He taught at Farragut High School in Chicago for a number of years and lived at 570 Milburn as a child. When his sister went to school, she could not attend nearby Orrington School, which was all white, but had to attend Noyes School, which was black. When he played football at ETHS, he could not play on the varsity team even though he and other blacks were good players and could beat the varsity team. He stated that Dr. Martin Luther King, Jr., Harold Washington, Elijah Mohammed and Mohammed Ali among others supported reparations in principle. He did not think it was a matter of guilt. He stated there is a social dysfunction in this nation – a cancer on the body politic. Reparations will help heal that wound, help everybody because this is one people and one country. If there is a problem in one section it needs to be taken care of. He said there is an area here where a child was killed on the street and that is part of the heritage of racism. He noted that Mr. Zwick said there was no need to study slavery, but that when one passes a synagogue – people say “never again.” Why is it the law in Illinois that the holocaust be studied? He thought that unless people understand that these events can be repeated and learn from history, they are bound to repeat them.

Betty Ester, 1806 Grey Ave., thanked the Human Relations Commission, Paula Haynes, Michael Redmond and staff for their hard work on behalf of the Summer Youth Employment program.

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

Alderman Engelman moved Council approval of the Consent Agenda with these exceptions: Change Order #8 with the Meyne Co. for new Levy Center, Resolution 48-R-02 – Special Event: Ricky Byrdsong 5K Walk/Run, Resolution 42-R-02 – Authorization for Open Space Lands Acquisition & Development (OSLAD) Grant, Resolution 47-R-02 – Footing Easement Agreement with 1881 Oak LLC, Ordinance 55-O-02 – Increase in Class B1 Liquor Licenses, Ordinance 56-O-02 – Decrease in Class B Liquor Licenses, Ordinance 61-O-02 – Special Use for 506 Main St. (Subway), Ordinance 46-O-02 – Binding Appearance Review, Ordinance 58-O-02 – Zoning Ordinance Amendment, Resolution 43-R-02 – Study of Reparation Proposals, Resolution 45-R-02 – Intergovernmental Agreement for Provision of Emergency Assistance and Resolution 38-R-02 – Amend Resolution 33-R-02 to Reflect Intended Extension of Performance Time. Seconded by Alderman Moran. Roll call. Voting aye – Jean-Baptiste, Wynne, Kent, Moran, Engelman, Rainey, Newman. Voting nay – none. Motion carried (7-0).

**\* ITEMS APPROVED ON CONSENT AGENDA**

**MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of May 20, 2002. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (7-0)

**ADMINISTRATION & PUBLIC WORKS:**

\* Approval, as recommended, of the City of Evanston payroll for the periods ending May 23, 2002 and June 6, 2002 and the City of Evanston bills for the periods ending June 11, 2002 and that they be authorized and charged to the proper accounts, summarized as follows:

City of Evanston payroll (through 05/23/02)	\$1,813,821.89
City of Evanston payroll (through 06/6/02)	\$1,840,754.11
City of Evanston bills (through 06/11/02)	\$1,906,325.40

\* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Approval of the lowest responsive and responsible bid of J. A. Johnson Paving Co. for the 2002 Street Maintenance Program for Public Works at a cost of \$230,366.55. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Approval of the lowest responsive and responsible bid of J. A. Johnson Paving Co. for the 2002 Resurfacing of Various

Streets Program for Public Works at a cost of \$673,519.30. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Approval of the sole source purchase of a Microsoft Enterprise Software License for the Information Systems Division at a cost of \$373,029.30. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Approval of the State of Illinois low bidder, Bob Ridings, Inc., for the purchase of one 2003 Ford F350 pickup truck with plow for Public Works at a cost of \$28,647 including delivery and extended warranty. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Approval of Change Order #1 with DiPaolo Co. for Phase VI, Contract C, Relief Sewer Project for a construction yard agreement with no change in project cost or timeframe. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Approval of Change Order #1 with Maco Roof Systems for the roof rehabilitation/replacement project as the Water Treatment Facility, increasing the contract amount by \$2,700, from \$178,390 to \$181,090. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)



\* Special Event: Fountain Square Arts Festival – Consideration of a request to hold the annual Fountain Square Arts Festival on various downtown Evanston streets on June 22-23. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Resolution 40-R-02 – Approval of Cable Franchise Transfer of Control – Consideration of proposed Resolution 40-R-02, which approves the cable franchise transfer of control from AT&T Broadband to AT&T Comcast Corp. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Resolution 49-R-02 – Agreement with Chicago Public Radio WBEZ – Consideration of proposed Resolution 49-R-02, which authorizes the City Manager to enter into an agreement with Chicago Public Radio 91.5 for promotional sponsorship valued at approximately \$10,800. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Resolution 46-R-02 – Agreement with Chicago Tribune – Consideration of proposed Resolution 46-R-02, which authorizes the City Manager to enter into an agreement with the Chicago Tribune for promotional sponsorship valued at approximately \$31,948. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

Resolution 44-R-02 – Easement Agreement with Optima Towers Evanston Condominium Assn. – Consideration of proposed Resolution 44-R-02, which authorizes the City Manager to sign an easement agreement with Optima Towers Evanston Condominium Assn. To place planting beds along the public r-o-w at 800 Davis St. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* 50-R-02 – Sublease of Studio #224 at Noyes Cultural Arts Center – Consideration of proposed Resolution 50-R-02, which authorizes the City Manager to sign a consent to sublease Studio 224 at the Noyes Center. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

#### **PLANNING & DEVELOPMENT:**

\* Sidewalk Café Permit (Type 1 Restaurant - with liquor): – Trullo a Trattoria - Consideration of a recommendation of the Site Plan & Appearance Review Committee to grant a sidewalk café permit to Trullo a Trattoria, 1700 Central St., within 200 feet of a residential district and desirous of serving liquor at the café. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Sidewalk Café Permit (Type 2 Restaurant) – Starbucks – Consideration of a recommendation of the Site Plan & Appearance Review Committee to grant a sidewalk café permit to Starbucks, 1724 Sherman Ave. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Sidewalk Café Permit (Type 2 Restaurant) – Café Mozart – Consideration of a recommendation of the Site Plan & Appearance Review Committee to grant a sidewalk café permit to Café Mozart, 600 Davis St. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Ordinance 62-O-02 – Special Use for 812 Davis St. (Quizno’s Restaurant) – Consideration of proposed Ordinance 62-O-02, which approves a recommendation of the Zoning Board of Appeals to grant a special use application for a Type 2 restaurant (Quizno’s) at 812 Davis St. \* MARKED INTRODUCED – CONSENT AGENDA

### **HUMAN SERVICES:**

\* Consideration of Township Bills – Consideration of a recommendation to approve the Township bills, payroll and medical payments for the month of May 2002 in the amount of \$100,655.35. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* 2002 Continuum of Care for the Homeless – Consideration of the 2002 Continuum of Care for the Homeless, the City’s strategy for addressing homelessness, for submission to the U.S. Dept. of Housing & Urban Development. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (7-0)

\* Ordinance 60-O-02 – Approval of Annual Budget of Evanston Township for FY 2002/2003 – Consideration of proposed Ordinance 60-O-02 whereas the Council, acting as Township Trustees, would approve the annual budget of the Township for FY April 1, 2002 to March 31, 2003 in the amount of \$1,433,500. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 12-O-02 – Amending Sections of the City Code Pertaining to Enforcement of City Park Regulations – Consideration of proposed Ordinance 12-O-02, which amends sections of Chapters 9, 10 and 11 of the City Code pertaining to enforcement of City park regulations. \* MARKED INTRODUCED – CONSENT AGENDA

### **APPOINTMENTS:**

Mayor Morton asked for introduction of the following appointments:

Patricia Lane 1621 Kirk St.	Human Relations Commission
Victoria Higgins Wolpoff 2037 Pratt Ct.	Human Relations Commission
Clint Funk 1024 Judson Ave.	Preservation Commission
Stanley Gerson 200 Lee St.	Preservation Commission
Robert Creamer 1500 Oak Ave.	Zoning Board of Appeals

Mayor Morton asked for introduction of the following reappointments:

Myrtle S. Wangerin 422 Davis St.	Commission on Aging
Irene Ziaya 2700 Bryant Ave.	Commission on Aging
Stephen Knutson 923 Michigan Ave.	Plan Commission
Jack Weiss 1103 Mulford St.	Sign Review and Appeals Board

\* APPROVED - CONSENT AGENDA

### REPORT OF THE STANDING COMMITTEES

Alderman Rainey, chair of the Human Services Committee, as a point of personal privilege asked the Mayor and Chairman Jean-Baptiste of A&PW Committee, to have Resolution 43-R-02 considered first due to the many people in the audience who were there for the reparation issue.

#### HUMAN SERVICES COMMITTEE:

Resolution 43-R-02 – Study of Reparation Proposals – Consideration of proposed Resolution 43-R-02, whereby the Evanston City Council would endorse the establishment of a Federal Commission to study reparation proposals for African Americans.

Alderman Rainey moved approval of Resolution 43-R-02. Seconded by Alderman Wynne.

Martha Biondi, Professor, African-American Studies Department, Northwestern University, stated the individuals who would speak are part of a Reparations Support Committee and were there to provide historical information to help aldermen in their deliberations.

**Stephen Hahn**, History Professor, Northwestern University, stated he has taught and written about America's experience with slavery and its painful legacies for the past 20 years. As a resident, he was pleased Council was considering the resolution to support H.R. 40. He noted reparations raise many complex questions with no easy answers. He thought a congressional inquiry, such as the one proposed, would stimulate a national discussion of immense importance and place America's historical debt to slaves and their descendants in proper perspective. He said there are numerous ways to think about the nature of that debt and the collective responsibility that the society has, even though more than a century removed from emancipation, to see that acknowledged. The first has to do with the role of the U.S. government in providing for the security, vitality and expansion of slavery and looking out for the interests of slaveholders. He noted from the founding of the republic to almost the moment of abolition, slavery was inbeded at the heart of the system of government. The resources and authority of that government allowed this nation to give rise to the largest slave society in the 19<sup>th</sup> Century world. The Constitution recognized the legality of slavery – rewarded slaveholders with more representation and, therefore, more power than any other group of Americans and required that slave property be protected throughout the country. Eight of the first twelve U.S. presidents were slaveholders. Slave holding planters played a decisive role in expanding the territorial boundaries of this nation with full expectation that slavery would expand along with it. When the question of emancipation presented itself, federal authorities worried about suitable compensation for slave owners, who would lose their property rather than for slaves who had been exploited and suffered for more than two centuries. Compensation to slave owners was central to the emancipation process throughout the Western Hemisphere. It included states in the North (U.S.), where slavery had been legal and was abolished in the 1780s

and 1840s. Even during the Civil War, President Lincoln held onto this idea. Slave owners who lived in Washington, D.C. when the federal government abolished slavery there in early 1862, were compensated monetarily. Compensation was promised also to slave holders who supported the Union in Lincoln's preliminary Emancipation Proclamation of September 1862. He stated that is, in part, a measure of the collective and public responsibility for the oppressions and evils of slavery owed to the role of the national government. This is also about the great and generally unacknowledged contributions that slaves made to much of what is valued and from which they and their heirs have largely been excluded -- the nation's economic prosperity and traditions of political and civil rights. The unpaid labor of several million slaves in the agricultural fields of the South not only enriched their owners but also drove the economic growth of the nation during its early years. By the time of the Civil War, slave-grown cotton accounted for 60% of American exports. It is unlikely that the United States would have emerged as a major industrial power by the end of the 19<sup>th</sup> Century were it not for the many stimulants provided by the back-breaking labor of slaves. Nor is it likely that the United States would have emerged as a beacon of freedom and opportunity for oppressed people throughout the world. During early U.S. history, slaves played an important role in challenging the institution of slavery and the conscience of free people through petitions, lawsuits, flight and rebellion. Former slaves in revolutionary and early America advanced many of the ideas later embraced by white abolitionists and communities of former slaves in the free states helped sustain the work of fledgling abolitionist societies. The acts of runaway slaves made political leaders such as Abraham Lincoln recognize the impossibility of maintaining a house divided -- a nation half slave and half free. Acts and courage of slaves during the Civil War, when 150,000 of them served in the Union army, ensured that the nation would simultaneously survive and witness a new birth of freedom. He said the debt that is owed to slaves and their descendants is difficult to quantify and repay because, in truth, it is incalculable. Opening a serious public investigation into the matter of reparations would at least begin the process of making amends. It would promote a national reckoning with the past that could prove educational rather than divisive and stimulate a sense of collective responsibility rather than individual guilt. He stated there would be rewards in this, not just for some, but for all.

**Martha Biondi**, explained the reparations movement is growing rapidly and only a few years ago was not considered widely. Today it is one of the leading human rights efforts in the United States and the world. There are two reasons for the rise of the reparation movement. The first is a growing sense that civil rights remedies have failed to create an equal playing field. Vast racial disparities exist in education and health care and, in some cases, are worse since the Civil Rights movement. African-Americans are incarcerated at alarming and disproportionate rates. If current trends continue 30% of all African-American men will be arrested during their lifetime. This crisis is leading to a reduction in black voting rights. Fifty years after the Voting Rights act, 13% of adult black men have permanently lost the right to vote due to felony convictions and the numbers are increasing. The Civil Rights movement that abolished segregation began a process that a reparation inquiry will allow them to continue. A Reparations Commission will help Americans understand that the federal government has systematically and intentionally deprived African-Americans of resources, opportunities and rights for generations. It will help Americans understand why returning and restoring those resources and opportunities is morally just and in the national interest. The rationale for reparations lies in history. According to economists, slaves performed \$40 million worth of labor from 1790 to 1860, a sum worth \$1.4 trillion today. This pattern continued with the era of segregation. One example was to get out of the Great Depression, the U.S. government started to subsidize home ownership laying the groundwork for the huge expansion of the middle class, the American dream. The federal government used a practice called "redlining," which labeled black or mixed neighborhoods as bad risks so they were ineligible for loans. In the United States, owning a home is the way most acquire wealth and transmit it to the next generation. Today the net worth of white families is ten times higher than the net worth of black families, a disparity that has increased since the Civil Rights movement. It is estimated the current generation of African-Americans will lose about \$82 billion in equity due to institutional mortgage and real estate discrimination. Another example is the pension system created during the Depression, which intentionally deprived African-Americans of benefits that white people received. Social Security specifically excluded agricultural workers and domestic service because these were occupations most African-Americans held. Until as recently as 1997, the U.S. Department of Agriculture had close to a zero rate of approval for loans to black farmers. She stated the Civil Rights movement did not address the loss of life, liberty, culture, language, labor and wages during slavery. A second reason for the growing reparation movement is the rising number of precedents nationally and internationally. In 1998 Congress granted an apology and \$1.2 billion to survivors and relatives of Japanese-Americans who were interned in camps during WWII. This established an important concept that Congress would financially repair the harm it had done to a group of people based upon race/national origin. Internationally, the German government and private entities have paid \$65.2 billion to Holocaust survivors and forced

laborers. Germany has also paid reparations to the state of Israel, a redress that is significant to the African-American case since the reparations are not made to individuals of the Holocaust but to Jews collectively through the State of Israel. A recent development was the United Nations Conference against Racism, which declared transatlantic slave trade as crimes against humanity and urged responsible nations to make reparations. Argentina and South Africa have established commissions to investigate the injury inflicted during Apartheid or periods of military dictatorship. She stated this makes the inaction in the United States all the more glaring and urgent. The U.S. has never authorized an examination of the nation's participation in the slavery of African-Americans and the segregation and labor exploitation of their descendants. There is no national slavery museum or memorial to the millions who perished in the transatlantic slave trade. All major civil rights organizations have urged passage of HR 40. She noted that reparations has become one of the most important human rights initiatives in the United States and has been endorsed by scores of municipalities.

**Adam Green**, History Professor, African-American studies, Northwestern University, stated his research focuses on African-Americans following their emancipation from slavery, thus his support for reparations is as a tangible means for social change along with the political and ethical engagement of this question. He spoke of the need for reparations as a truth seeking process as much as a pursuit of substantive remedy and how such truth seeking offers the best hope for reconciliation. He said an overlooked aspect of domestic racial politics concerns the efforts of core institutions within the society to oppress and obstruct inquiry into the effects of African-American subjugation before, during and after slavery. His own profession of historical scholarship has its roots as an institutionalized discipline in the relentless caricature of blacks' political and economic gains during reconstruction as an outrage against civilization near the turn of the century. Mass entertainment ranging from Vaudeville, popular music, film and television have all, through numbing stereotype, discouraged popular appreciation of African-American social conditions historically and in proper context. While actuarial tables used by insurance companies have rationalized blacks' reduced life chances as the product of genetic inferiority rather than inferior health care and chronic malnutrition, legislatures at the state/federal governments have tabled and filibustered bill after bill seeking to memorialize racism's ongoing effects throughout the better part of this past century. He went through this regretful and somewhat sordid history to emphasize that to some extent, there is great urgency to promote some kind of lasting, meaningful and rooted inquiry into the truth of race relations in this nation. He said they must be clear about what the resolution before Council endorses. John Conyers' HB 40 calls for a panel commission to study the question of reparations with seven members to be appointed by various branches of government to decide what is the degree of injury suffered by African-Americans during slavery and their descendants as a result of the after-effects of slavery and what possible/plausible remedies would be best pursued by this. In this sense, as others have stated, the United States would follow the lead of other countries such as Argentina, Costa Rica, Brazil and South Africa. He said in this sense it was important to note there have been other commissions such as the one in 1923 to study the 1919 race riot, which issued an important document depicting race relations in this region to the Presidential Commissions on Race Relations in 1947, 1968 and 1998. He stressed that it become evermore clear that only on the basis of social and historical transparency -- the sense of going through what the historical record is in relation both to African-Americans conditions and the circumstances of race relations in this country -- that there can be a real basis for reconciliation. Reparations represents and constitutes an ambitious gesture, he would argue the most ambitious gesture to date in the nation's history, for a true sense of reconciliation and the foundation for a secure compact of group acknowledgment, respect and cooperation. Reparations, more than establishing responsibility for past injustices and expropriations and more than restoring material losses resulting from slavery and its institutional remainders, is a process that promises healing for all through the sturdy foundation of grounded historical truth.

**Iva Carruthers**, President, Urban Outreach Foundation, (national organization whose mission is to provide leadership development, education and training for the African-American church community) spoke as a voice for justice. She is a professor emerita at Northeastern University, where she taught sociology for 30 years with a focus on racism and global stratification. Recently, she completed a publication on reparations and the church, which was distributed at the United Nations meeting. She grew up in Evanston and attended Foster School when it was a segregated elementary school; was expelled because she was not intellectually challenged and transferred to Haven School. An honor student at Haven, at graduation she had heart palpitations and was accused by the school nurse of being on drugs. Her parents and their white physician had the nurse fired. At ETHS she led a "walkout" after the church bombing in Birmingham (AL) that killed four little girls, when the school administrators wanted the standard Monday morning assembly as though nothing had happened. As co-chair of the Black Caucus she was responsible for naming the Lab school Martin Luther King Jr. School. At that time she was a Ph.D. candidate at Northwestern University to research desegregation and its impact on Evanston's black community. She stood across the table from Martin Luther King, Jr. when he came

to Evanston at the invitation of the NAACP. She was who she was despite a society that was designed systematically to create failure. She explained that reparations is a process to remember, restore, repair, make amends and reconcile and can never be reduced to just money. Reparations are grounded in the concept of justice in a moral and legal sense. Reparations for African-Americans is not new. Since emancipation, the African-American community has had active voices calling for reparations. She was proud to hear the voice of Ayinde Baptiste because that is the voice of the next generation and she can sleep knowing this will go forward. He was one of her students. She stated it was predictable for those who oppose this to simplify it, but one cannot deal with the problem without dealing with the cause. She said the slave trade must be looked at to understand today's disparities. She called this America's problem, which has emerged out of white privilege and entitlement. As a result of that, this is not just for black people but she was proud to stand with white colleagues who dared to stand and speak to this. To the dismay of some, even though Martin Luther King, Jr. said, "I have a dream," she wanted them to remember he also said "no amount of gold could provide adequate compensation for our exploitation, but a price could be put on unpaid wages." In 1874 newly freed slaves lost \$57 million when the Freedman's Bank of the United States was closed. Today economists have calculated some \$24 trillion is owed for the labor of black people and another \$1.6 trillion from employment advantages and privileges that whites have had. Reparations is not about money. As an issue of legal justice, reparations refers to the mass kidnapping and enslavement of Africans, which was and has been documented as the greatest crime against all humanity. Some 200 million persons were affected with nearly 50-100 million estimated to be at the bottom of the Atlantic Ocean. The other part of this happened on the continent of Africa, which was ravished. Now those same nations are striving to pay back debt for which they owe no debt. No compensation has ever been paid for this heinous crime and the consequences continue as evidenced by the enrichment of the descendants of the perpetrators and the impoverishment of the descendants of Africa. Enrichment and impoverishment lead to the legal principle for reparations, which legally is in the international court around the principle of "unjust enrichment." It means if one party becomes enriched as the result of a wrong done by another, the law compels the beneficiaries to make adjustments to harmed parties. The concept of justice as defined by international language and memorialized in the charter of the Nuremberg Tribunal says it defines and refers to recognition of events as a crime against humanity. It refers to a crime against humanity further defined as murder, extermination, enslavement, deportation and other inhumane acts. It refers to ill treatment or deportation to slave labor. It further raises the concept of genocide, which is defined as killing members of a group causing serious bodily or mental harm or inflicting on group conditions of life calculated to bring about its physical destruction. If those terms are measured against the experience of Africans of the Diaspora and Africans of the continent, one will see that African-Americans qualify. That brings them to the legal question of what do they do vis-à-vis reparations – which speaks to the opposing viewpoint that this is such an incalculable crime and so complex that much cannot be done. In the International Court of Law where there is a right to reparations there is a remedy. The only thing that has to be proved is the right to reparations and it is up to the society to figure out how to address it. Reparation must lead to restitution -- the goal is to wipe out the illegal consequences of that illegal act. The Court gave guidelines and speaks to why this is a viable issue today. There is no limitation of time to make a claim for a *crime against humanity*. She said that is why those three words are so important and why those are the three words the administration has never wanted to acknowledge. International law and justice and the quest for effecting the claim is a dynamic process. It is contextualized in the reality of the society in which the discussion of reparations occurs. Reparations must be taken case by case. There must be compensation for specific losses. There are reparations from one country to another and intra-state reparations i.e., from the U.S. government to Japanese-Americans. Descendants have the right to reparations. The steps to reparations are clear and simple. One is acknowledgment that there was an injustice. Two is an apology. She said this country does not even want to apologize. Three is reparations requires restitution in both monetary and non-monetary ways. Fourth, it requires commitment to non-repetition. It is a question of justice, moral imperatives and what it is that Americans want to do and who Americans want to be that Americans articulate who they are.

Alderman Jean-Baptiste thanked all who spoke. Mayor Morton thanked the speakers and asked if she could get a six-hour credit from Northwestern.

Alderman Engelman stated that he did not believe the social compact that is American democracy was founded upon the concept of either collective guilt or collective entitlement. Slavery was and is an abomination. With the North Atlantic slave trade, what man did to man was a tragedy. He did not believe it belittles what occurred to talk about the horror of all those who endured slavery whether it was from 1800-1500 BC in Egypt or 400 BC to 400 AD in Europe or even today in Africa and parts of Asia. Sixty years ago that very day an entire town was destroyed and its residents

massacred in Lidici, Czechoslovakia by Nazi storm troopers. He worried when he saw this resolution if it is solely about the payment of money; was concerned that they not be looking back at who did what to whom with the idea that it's "your fault and you owe me." He suggested they look forward to express a common vision. He believed as Bennett Johnson did that those who fail to learn the lessons of history are bound to repeat past mistakes. He thought if this resolution will provide a forum for discussion so that all learn from the past and ensure for the future – if Americans get an understanding of which they were and are he could support the resolution. He supported the resolution based upon increasing understanding and not money.

Alderman Moran agreed that history is important for this issue. These actions must never be repeated. History cannot be changed and when he thought of this question, not just of reparations, but as reconciliation within the nation to heal the nation, he thought of what could be accomplished today and beyond. Professor Biondi referred to the era when civil rights litigation came forward after civil rights legislation was passed in the 1960s and the ensuing litigation throughout the 1960s and 1970s. Establishment of many significant rights was solidified. When he thought of the consequences of that legislation, he realized that real hard work lay ahead of the nation. As important as it was to establish civil rights, it is also important that the nation pursue that realization which they have struggled with for decades since and will continue to struggle. The question is how will the nation reach reconciliation? Can it be accomplished through the means of government, in some aspects, the answer is "yes." Ensuring proper health care and establishment of early childhood programs will lead to involve people to become educated, which in his view, is key to the resolution of these problems. Whether that education is involved in establishment, over time, of early childhood programs within Evanston that allow them to attack the inexorable achievement gap that is frequently discussed; whether they will do things that Alderman Jean-Baptiste hoped to accomplish this past year. His son Ayinde gave the most articulate speech he heard at the Main Library, with his compelling plea for establishment of such a library, which he hoped, would happen. Whether they will continue to make available training programs that allow young people to go forward into the world with their abilities, hard work and efforts that allow them to attain the positions that lead to personal satisfaction and advancement for themselves and their families. Whether they will continue to establish and support mentoring programs in the community where programs such as America's Promise, which is chaired by Secretary of State Colin Powell who is one of the most admired persons in America today. Ultimately, he believed there are limitations to what government can do about these issues. He thought they would be resolved ultimately and will rest with individuals. The question is will they be friends? He said that apparently there is a connection between the words "repair" and "reparations" and he asked himself what is it that they want to repair? He believes the question of reparations is one all in the nation has to engage in and is an obligation of all. He thought they need most to repair hearts and minds and when that reparation has been accomplished and they have become friends all of the other objectives will be quickly achieved. He supported the resolution and looked forward to institution of the discussion. Having done that, he hoped they would continue to think about this and begin to act, if they have not acted before. He would follow the discussion in Washington, D.C., but believed the discussion that will take place here is the most important one.

Alderman Kent shared many concerns expressed by aldermen. When they speak about something as large as reparations – what exactly is it they are talking about? He also wanted to look at it as a city. Evanston talks about its diversity and how proud all are of it, talks proudly about the schools, talks about Evanstonians as being special and he thought they were. He said if nothing else comes of H.B. 40 in Congress, then shame on Congress – don't let it be shame on the Evanston City Council. He thought many had dedicated a lifetime to doing what they were talking about, especially in education. He did not think about this in terms of money. He recalled a television program about a railroad company that had acquired wealth from slaves and is now giving back to the community. He thought when money comes back to the community it grows stronger. To him the best thing about this is the call to education at all levels to begin changing that old curriculum. No matter how many programs there are, children cannot achieve if they don't know who they are, the history of where they come from. He agreed with Alderman Moran that the most important thing to happen is the discussion here in Evanston and there's a good chance that will happen. He said when you look at students who come into ETHS, Evanston is unique because different races and ethnic groups mingle, work and go to school together. When he thinks about reparations, he thinks about what it can do for their children and about changing the future.

Roll call. Voting aye – Jean-Baptiste, Wynne, Kent, Moran, Engelman, Rainey, Newman. Voting nay – none. Motion carried (7-0)

Alderman Jean-Baptiste reported that some friendly amendments were included from Alderman Feldman and Alderman Bernstein, who supported the resolution as well.

**ADMINISTRATION & PUBLIC WORKS:**

Alderman Jean-Baptiste moved approval of Change Order #8 with the Meyne Co. for the new Levy Center construction, increasing the total contract amount by \$129,085, from \$6,891,272 to \$7,020,357. Seconded by Alderman Rainey.

Alderman Rainey explained that the \$129,085 item for theater curtains and lighting was not a new purchase and was in the budget. The reason for the change order is that in the original documents it was assigned to another vendor and now is moved to the general contractor, Meyne Co. Facilities Management Director Max Rubin related that the project presented to Council was at \$8.515 million and the contract with Meyne Co. was around \$6.8 million. The City had around \$750,000 in funds to buy certain items for the facility. Instead of coming out of the City's portion, it was moved to Meyne Co., which did the work. This is about how the money is being used. Another change order will come about the sound system, also contracted with Meyne Co. Mayor Morton found the wording confusing. Mr. Rubin explained that this change order increases the amount going to the Meyne Co., but does not increase the total cost of the project.

Alderman Newman said change orders relating to Levy have been the most politicized issue since the City decided to build the facility in James Park. He has visited the Levy Center and praised staff for putting together a wonderful building for senior citizens during the day and for other residents in the evenings and weekends. He noted in the last five years there has been a commitment by Council and staff for excellence in the parks throughout the City. Staff has worked with neighbors who suggested adding the walking park in James Park, which is used heavily. Neighbors brought additional suggestions at Leahy Park. He has supported quality by the Parks Division in every neighborhood. A walking path was considered for Butler Park; money was added to Bent Park, which he supported. He suggested the issue on the Levy Center has been unjustly and wrongly politicized by some Council members; that staff and the committee have been unfairly attacked and things misrepresented to the community due to a certain political agenda that exists in relation to the building. He acknowledged some extra costs and substantial amounts of money have been raised through grants and donations. He supported the work of staff; noted many articles generated in the newspaper were unjust.

Alderman Rainey pointed out that some funds came from private contributions. She encouraged Council members to look at the donor wall where there are many donations in excess of \$25,000. She reported seeing the Levy Center bus pick up people at Primm Towers, Dominick's and drop them off at the Levy Center and again acknowledged the generous contribution of the Levy family, which donated the bus.

Roll call. Voting aye – Jean-Baptiste, Wynne, Kent, Rainey, Newman. Voting nay – Moran, Engelman. Motion carried (5-2).

Resolution 48-R-02 – Special Event: Ricky Byrdsong 5K Walk/Run – Consideration of proposed Resolution 48-R-02 to approve closure of a portion of Sheridan Rd. for the 3<sup>rd</sup> annual Ricky Byrdsong 5K Walk/Run on Saturday, June 29, 2002.

Alderman Jean-Baptiste moved approval. Seconded by Alderman Engelman.

Alderman Newman called this an excellent event. When held last year, residents on Greenwood/Lake were not allowed to leave their homes during the event because the street was closed. He said a notice will go out and homeowners on Greenwood/Lake and Davis will have access to the street during this event. He said there are about 20 events that go through the 1<sup>st</sup> Ward and people welcome them, but they have to be run in a way as to not interfere with people in their homes. This event will be on Saturday this year and next year on a Sunday as all the other events. He appreciated staff's work to protect the neighborhood and to make sure people will have access to streets.

Motion carried. No nays.

Resolution 42-R-02 – Authorization for Open Space Lands Acquisition & Development (OSLAD) Grant – Consideration of proposed Resolution 42-R-02, which authorizes the City Manager to sign the Resolution of Authorization for an OSLAD grant application through the Illinois Department of Natural Resources for Parks/Forestry & Recreation.

Alderman Jean-Baptiste moved approval of the resolution with an amendment to increase the amount of the grant from \$177,700 to \$277,700. Seconded by Alderman Engelman.

Alderman Newman recalled during the budget process discussion of an extra \$400,000 and those who voted for the budget were criticized by the 7<sup>th</sup> Ward alderman and others for not reducing the capital budget by \$400,000 so everybody would save. Others wanted the \$400,000 to be available for other projects. There has been much discussion about extra monies spent at the Levy Center and funds requested by the Recreation Board to improve all parks. (\$1.5 million a year for seven years has been committed to park improvements.) Throughout the process he has tried to take each project and not politicize them on the basis of ward. As he tries to do things at Fountain Square, there are many barriers when he attempts to get things done. His family goes to many Little League games and has gone to Mason Park with a game the next night at Leahy Park. His family likes to go to Mason Park but don't want to go back because of the position of the bench. The coach has to tell the children to get off the bench and get behind the backstop because it is in a dangerous position. A similar situation exists at Foster Field. The baseball diamond at Leahy Park needs to be fixed. Neighbors identified a correct addition to the baseball diamond and he heard they want to get the tennis courts fixed and did not know if they would use the \$60,000 allocated for the sledding hill. He believes they must support the neighborhood process in every ward. It was needed at the Levy Center and, should be done at Mason Park to promote high quality development of parks throughout Evanston, including Butler Park. He will support improvements to Leahy Park and suggested it be paid for out of the \$400,000. Before Council members are criticized because they want extra money to get through the year, all in the 7<sup>th</sup> Ward should know that certain members stood up to have this money available for the very situation they have that evening. He will continue to support improvement and, most importantly, make all baseball and soccer fields accessible to all parts of the community. When they played at Mason Park and Foster Field, they experienced African-American children wanting to join and be part of their baseball league. He said it will take a financial commitment by Council to make those parks safe and they may have to spend more than \$1.5 million on park improvements. He expressed appreciation for staff efforts to obtain grants. They have spent \$150,000 for streetlights of the \$400,000 and he urged that the balance be spent on park projects.

Alderman Engelman thanked Alderman Newman for supporting the use of some of the \$400,000 for this project just as he thanked him the night of the budget for seconding his motion to use some of the funds for Leahy Park, which the rest of the Council did not agree with. Alderman Engelman confirmed that the amount is \$177,700 to \$277,700.

Alderman Newman stated that was for improvement of the tennis courts, baseball diamond and playground; asked about the \$60,000 allocated for the sledding hill? Alderman Engelman stated the \$60,000 is part of the City match for this project. Will there be a sledding hill? The Legal Department has said no. There was discussion by neighbors about a private donation for that. Alderman Rainey clarified that the Parks Division has applied, prior to Alderman Engelman coming to the committee that evening, for a \$177,000 grant, which is a 50% match to \$177,000 from the CIP. Alderman Engelman asked to increase the grant request, which is a 50% reimbursement with the City matching with \$277,000. The \$100,000 being spent out of the CIP hopefully will generate an additional grant from the state. Alderman Jean-Baptiste said when they discussed the increase in the City's commitment to go after the grant, they talked about what was available. Out of that money they have to fix Mason Park and earlier had a community meeting at which Director of Parks/Forestry & Recreation Doug Gaynor discussed renovation of Mason Park. He wanted assurance that they were not sacrificing Mason Park for this project. Mr. Gaynor stated the project before them for Leahy Park has no impact on the Mason Park project. Alderman Newman confirmed that the Mason Park baseball diamond would not be redone. Mr. Gaynor said improvements there include the building and surrounding area. Alderman Newman said they put dugouts at Robert Crown, where the children have a fence in front of them. Now they are having Little League Championships played where children are eight feet away. Alderman Newman made an Aldermanic request to determine the cost to make dugouts safe or similar to the one at Robert Crown Park.

Motion carried. No nays.

Resolution 47-R-02 – Footing Easement Agreement with 1881 Oak LLC – Consideration of proposed Resolution 47-R-02, which authorizes the City Manager to execute a subsurface footing easement agreement with 1881 Oak LLC.

Alderman Jean-Baptiste moved approval. He said the reason this was removed from the Consent Agenda was to correct the resolution, which stated 1880 Oak instead of 1881. Seconded by Alderman Rainey. Motion carried. No nays.

Ordinance 55-O-02 – Increase in Class B1 Liquor Licenses – Consideration of proposed Ordinance 55-O-02, introduced May 20, 2002, which increases the Class B1 liquor licenses from 1 to 2 with the addition of 1800 Club.

Alderman Jean-Baptiste moved approval. Seconded by Alderman Engelman.

Alderman Newman reported receipt of a letter from Sherman Gardens residents about loud music coming from the 1800 Club patio on a nightly basis. Alderman Rainey confirmed there was more than one loud music violation. He spoke with the owner and asked him to write a letter explaining to Council and Sherman Gardens residents how he will solve the problem. Staff told him that to have a liquor license, the licensee is expected to be in compliance with all city ordinances. The Noise Ordinance requires during the week that outdoor music stop at 10:00 p.m. and 11:00 p.m. weekends. Evidently this owner, who adjusted speakers to be heard throughout the neighborhood till 2:00 a.m., has been violating that ordinance. Alderman Newman moved to hold ordinances 55-O-02 and 56-O-02 to give the owner an opportunity to rectify and communicate to neighbors how to solve the problem. Seconded by Alderman Wynne

At the request of two aldermen this item was held.

Ordinance 56-O-02 – Decrease in Class B Liquor Licenses – Consideration of proposed Ordinance 56-O-02, introduced May 20, 2002, which decreases the Class B liquor licenses from 12 to 11 with the subtraction of 1800 Club.

At the request of two aldermen this item was held.

### **PLANNING & DEVELOPMENT:**

Ordinance 61-O-02 – Special Use for 506 Main St. (Subway Restaurant) – Consideration of proposed Ordinance 61-O-02, which approves a recommendation of the Zoning Board of Appeals to grant a special use application for a Type 2 restaurant (Subway) at 506 Main St.

Alderman Newman reported that the committee did not have time that evening to fully consider this item and moved it be mark introduced and sent back to committee. Seconded by Alderman Wynne.

Ordinance 46-O-02 – Binding Appearance Review – Consideration of proposed Ordinance 46-O-02, which approves a recommendation of the Plan Commission to incorporate binding appearance review within the purview of the Site Plan & Appearance Review Committee and adopt the Site Plan & Appearance Review Design Standards.

Alderman Newman reported a special P&D Committee meeting would be held Tuesday, June 18 at 6:00 p.m. to continue discussion on Ordinance 46-O-02. The ordinance was held in committee.

Ordinance 58-O-02 – Zoning Ordinance Amendment – Consideration of the recommendation from the Plan Commission to include the definition of funeral homes and a recommended list of permitted, special use and prohibited districts.

Alderman Newman stated the committee recommended the following amendments: D2 and D3 are a permitted use; RP was removed from permitted use and is a prohibited use. D1, D4, C1, C1a, B1, B2 and B3 are a special use category and

join the MU and MUE Districts. Funeral homes will continue to be a prohibited use in the R and T districts, U, OS and OH Districts. Seconded by Alderman Moran.

Mayor Morton asked why this was being considered? Alderman Newman explained that a funeral home in Evanston wants to do substantial work on its property and cannot get a building permit. Funeral Homes were unintentionally omitted from the 1993 Zoning Ordinance. The Plan Commission made a recommendation with which the committee disagreed. The committee disagreed that funeral homes should be permitted in the Research Park and wanted many districts to require a special use so the City can regulate traffic/parking.

Roll call. Voting aye – Jean-Baptiste, Wynne, Kent, Moran, Engelman, Rainey, Newman. Voting nay – none. Motion carried (7-0).

Alderman Newman reported that Chipotle Cafe was in serious violation of the sidewalk café ordinance over the weekend with garbage on both sides of Church Street and no person bussing the tables. He has received several complaints about the downtown being dirty; noted when the sidewalk café ordinance was expanded, it was based on Type 2 restaurants being vigilant not to allow this to happen. A letter will be sent to Chipotle Café.

There was continued discussion of binding review in the P&D Committee.

#### **HUMAN SERVICES:**

Resolution 45-R-02 – Intergovernmental Agreement for Provision of Emergency Assistance – Consideration of proposed Resolution 45-R-02, which authorizes the City Manager to sign an intergovernmental agreement with Evanston Township to provide emergency assistance.

Alderman Rainey moved approval. Seconded by Alderman Wynne.

Roll call. Voting aye – Jean-Baptiste, Wynne, Kent, Engelman, Rainey, Newman. Voting nay – Moran. Motion carried (6-1).

#### **OTHER COMMITTEES:**

Resolution 38-R-02 – Extension of Performance Time to CDBG Service Agreement with Fleetwood-Jourdain Art Guild – Consideration of amendment to Resolution 33-R-02, between the City of Evanston and Fleetwood-Jourdain Art Guild, to authorize the City Manager to extend the performance time specified in the purchase of service agreement for CDBG funding for the Evanston Black Historic Sculpture Garden.

Alderman Rainey reported that staff asked that this item be removed from the agenda and brought back at a later date. No objections were voiced. Alderman Rainey explained the Sculpture Park will be in the midst of a larger project that was formulated after the Sculpture Park was created. There will be a great deal of construction, redesign of the area and there are some ownership concerns about location of the sculpture garden. The Sculpture Park was not in danger of not going forward, but other matters need to be addressed.

#### **CALL OF THE WARDS:**

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste thanked colleagues for their unanimous support of the reparations resolution; the legal staff for unearthing prior resolutions that went beyond the confines of the City and their work on the resolution; Congresswoman Schakowsky for staying on the cutting edge of issues and being courageous in order to advance a cause she believes in; church leaders who listened and shared this information with their congregations. Reparations is about education and moving together so that all have ownership in the process of unraveling this issue that has been on the table for so long.

He acknowledged activism in the 2<sup>nd</sup> Ward with a march last Friday by a visible majority in the face of a small minority that

wants to destabilize some areas. People have met regularly to protect the quality of life in their neighborhoods. He stated much work needed to be done. Some of those rounded up in the last drug raid are back in the community. He encouraged people to stay vigilant; try to defeat the negative element and attitudes in the community. He concluded that in some cases they must transform folks if they are to enforce the rule of law.

**3<sup>rd</sup> Ward.** Alderman Wynne recalled asking staff for clarification on preventative measures for Dutch elm disease and received a memo. She noted the City does not have the funds to do an inoculation program to prevent Dutch elm disease on the 2,000 parkway elm trees. She suggested that private citizens could take on the cost of inoculation of particular elm trees. Several 3<sup>rd</sup> Ward condominium associations have come forward to ask for information about doing this. She acknowledged there are complications because root injections have to be done on all trees that interconnect. As she has observed condominiums and churches, she thought a pool of funds could make an inoculation program possible. She urged homeowners and condominium associations to contact her or the Forestry Division about this.

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

**5<sup>th</sup> Ward.** Alderman Kent reported the efforts of Northwestern Student Government Association, Student Off-Campus Housing Department, Community Relations Department, neighbors and City staff have put together a program to deal with problems of refuse when students move. A special flyer is being passed out telling residents, landlords/students that when they move out, the City and the University have paid to have dumpsters in areas where many students live in off-campus housing. Dumpster locations are 2200 blocks of Ridge, Sherman, Maple; 800 block of Hamlin, Foster and Garnett. Northwestern recycling has sponsored a end-of-year collection program for clothing and linens; simultaneously they are collecting items for local charities. At the next Council meeting, Ordinance 59-O-02 will be on the agenda in which he will seek to amend 9-5-4 of the City Code to provide Administrative Adjudication for disorderly house violations with a mandatory fine of \$750.

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

**7<sup>th</sup> Ward.** Alderman Engelman thanked Council for supporting inclusion of repairs to tennis courts at Leahy Park, noting that Council made a commitment years back to fix up all ball fields.

He congratulated graduates of District 65, District 202 and Northwestern University and thanked graduates and families who have come to the 7<sup>th</sup> Ward in the past weeks from all over the North Shore for their graduations at McGaw Hall. He appreciated their efforts to get their cars in/out of the neighborhood quickly.

Alderman Engelman said the City lost a national icon with the death of Byrne Piven, who founded the Piven Theatre Workshop and whose graduates include John and Joan Cusack and Aiden Quinn. A number of people have approached him about designating Noyes Street in front of the Piven Theatre Workshop as honorary Byrne Piven Drive. He made a reference to the Committee on Public Place Names to investigate that. Seconded by Alderman Wynne. Motion carried unanimously.

Alderman Engelman announced a Budget Committee meeting Wednesday, June 19 at 7:00 p.m. Staff will present results of one month of the new budget year and possibly offer a broad look at what next year's budget will be.

**8<sup>th</sup> Ward.** Alderman Rainey recalled making a reference to the Committee on Public Place Names several months ago and has not been contacted.

Alderman Rainey made a reference to the Plan Commission to have convenience stores in all districts as a special use. She stated that these stores generate far more immediate trash/litter than fast-food establishments and most is not biodegradable. Seconded by Alderman Engelman. Motion carried unanimously.

Alderman Rainey made a reference to the Plan Commission that the category of retail service be looked at with more specific uses identified. Seconded by Alderman Wynne. She recalled when the issue of tattoo parlors came up, the reason they could have them was because tattoo parlors were considered a retail service; was surprised that funeral homes are not a retail service. She thought anything that is paid for is defined as a retail service. In addition, she included hours of operation and personnel

in the business during operation. She said that hours of operation are not specified in many businesses and districts. In the case of liquor, the City controls hours of operation. She explained on Howard Street there are businesses that are open all night such as a Laundromat that is open 24 hours a day. From a certain time of night until morning there is no Laundromat personnel on-site and she suggested that some supervision should be required during all hours of operation. Motion carried unanimously.

Alderman Rainey made a reference to the P&D Committee regarding instituting a ban on discriminating on source of income in rental housing. (It would be illegal to reject a tenant or refuse to rent to a tenant *solely* on the basis that tenant had a Section 8 Certificate).

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

**1<sup>st</sup> Ward.** Alderman Newman credited Alderman Jean-Baptiste for his conviction on the reparations issue, which is important to Evanston and thanked him for the thoroughness with which this was presented.

Alderman Newman made a reference to the A&PW Committee asked for by the Chamber of Commerce, of initiating the concept of a northern and southern core in the Liquor Ordinance. Currently, there is a core in downtown only. They are asking for a core on Central Street and one near Main Street.

Alderman Newman reported seeing Burnham Shore Park and Synder Tot Lot filled with people and children. He thanked staff for their efforts and noted that when parks are improved and maintained people use them more.

Alderman Newman commented on arguments in Federal Judge Aspen's courtroom last Wednesday at the trial of NU versus the City. His name was brought up repeatedly by Northwestern University. He was disturbed that a Council member has repeated some of those comments. This Council member has admonished him and others about making personal comments. He said that Alderman Engelman singled him out in an article in the *Daily Northwestern* as a Council member who caused the City to lose \$300,000 because of what was done on the Northeast Historic District preservation ordinance. That comment has been repeated many times. He said that many don't realize that the Chicago Bears wanted to play at Dyché Stadium (Ryan Field), their preferred choice over Champaign, which is 2-1/2 hours away. Champaign will make millions by hosting the Bears. A community group wanted to have the Bears here. Some responded that even though this would cost the City large sums, the 7<sup>th</sup> Ward alderman opposed the Ameritech Tennis Tournament with an outpouring by residents against professional sports at Dyché Stadium (Ryan Field). He said there will never be an Ameritech Tennis Tournament here and hundreds of thousands in revenue won't come to the City. He said one could argue that by not having the Bears here, the City will lose millions. He has never said because the 7<sup>th</sup> Ward alderman and people of that ward wanted to be protected from noise and traffic and wanted to maintain the high quality of life there did not cost the City any money. He thought the people did the right thing. Alderman Newman stated that the Preservation Ordinance passed unanimously by Council. People in the 1<sup>st</sup> Ward believe strongly that preservation decisions belong to the people. Six alderman voted in favor of the Northeast Historic District because they thought it in the best interest of the City. To have a situation where the richest man in town can run up and take depositions in a lawsuit, then settle and change the decision of elected officials is taking democracy and dropping it on its head. That is why he believes the judge will ultimately rule in favor of the City.

Alderman Newman reported that 611 Callan is the only case in the two years since the Preservation Ordinance was amended, where there has been a problem with owners objecting. He was told the 611 Callan case has been resolved to the satisfaction of the present owners. He asked for verification and a report. He recalled an alderman, who voted against the Northeast Historic District Preservation ordinance, accused the rest of the Council of totalitarianism, in view of the fact that Evanston became a state leader in preservation and then found out how deeply the state and federal government hold preservation. He stated that when people make personal attacks on the Council floor that extends to comments in the *Daily Northwestern* that he was not able to respond to.

There being no further business to come before Council, Mayor Morton asked for a motion to adjourn. The Council so moved at 12:17 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.