

**ROLL CALL - PRESENT:**

Alderman Wynne  
Alderman Bernstein  
Alderman Kent

Alderman Moran  
Alderman Rainey  
Alderman Newman  
Alderman Jean-Baptiste

A Quorum was present.

**NOT PRESENT AT  
ROLL CALL:**

Alderman Engelman

**ABSENT:**

Alderman Feldman

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton Monday, June 24, 2002 at 5:47 p.m. in the Aldermanic Library. Alderman Jean-Baptiste moved that Council convene into Closed Session for the purpose of discussing matters related to litigation and closed session minutes pursuant to 5ILCS Section 120/2 (c) (5), (6), (11) and (21). Seconded by Alderman Wynne.

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

At 7:29 p.m. Alderman Jean-Baptiste moved to reconvene into Open Session and recess. Seconded by Alderman Bernstein. Motion carried. No nays.

Mayor Morton reconvened the City Council at 9:07 p.m. in the City Council Chamber.

Alderman Newman moved that Council convene as the Township Board of Trustees. Seconded by Alderman Jean-Baptiste. Motion carried unanimously.

**Public Hearing**

**Proposed Evanston Township Budget 2002-03**

There was no public comment on the proposed budget. Mayor Morton closed the public hearing at 9:08 p.m. Alderman Rainey moved that they reconvene as City Council. Seconded by Alderman Wynne. Motion carried unanimously.

**Announcements:**

Public Works Director David Jennings announced two meetings on Central Street parking studies are planned for July 9 and 10 in the Council Chamber. He reported a Bike Plan public hearing will be held July 11 at 7:00 p.m. at which the final draft of the Evanston Bike Plan will be presented.

Mr. Jennings announced that effective July 1, a minimum \$25 fee would be charged for special refuse pickups. This is when residents have unusually large amounts of trash. Residents who wish to request a special pickup need to call the Sanitation Office at 847-866-2940. They will be given the rules, and if they agree to the fee, materials will be picked up. If the material to be picked up is larger than the minimum fee of \$25, residents will be told the amount prior to pickup. City crews normally pickup on regular garbage/recycling days. The pickup charge will go onto the water bill. The City is not equipped to pickup construction debris and a private disposal firm is needed for that.

Mr. Jennings announced that next week Thursday's garbage and recycling would be picked up Friday, July 5, because of the July 4<sup>th</sup> holiday.

Facilities Management Director Max Rubin announced that Evanston's Fourth of July celebration would be Thursday, July 4. For information residents can call (847) 475-4JULY or go to [www.evanston4th.org](http://www.evanston4th.org). He described the day's activities starting at 8:00 a.m., parade at 2:00 p.m. and ending with fireworks at Clark Street Beach at 9:15 p.m.

Mayor Morton drew the names of Mary Kurz, 1113 Monroe St., Jerry Smith, 1200 Mulford St. and John Sagan 1314 Forest Ave., who will ride in a trolley in the parade. These families donated to the 4<sup>th</sup> of July Association.

City Manager Roger Crum reported that the Economic Development Committee meeting scheduled for June 26 had been cancelled. The next meeting will be July 24.

**Communications:** None

**CITIZEN COMMENT:**

Betty Ester, 1806 Grey Ave., spoke about Ordinance 12-O-02 – enforcement of City parks regulations. She recalled an incident at a park where a group was told that they could not play there because they did not have a reservation and could be ticketed; pointed out there are no signs in the parks telling people they need to call the City to get a reservation. She suggested signage to let people know; noted the ordinance says the Recreation Board may develop a reservation system and asked if this was for everybody who uses parks? She asked if a group of 12 young kids were playing baseball, would they be ticketed and have to pay \$750 or is the ordinance for a particular group? She suggested the ordinance needed to spell out to whom it applies and signs need to be posted. She suggested a public hearing with further discussion and asked them not to vote on the ordinance.

In response to Mayor Morton's questions, Ms. Ester reported there are signs posted at tennis courts but none are at basketball courts. Parks/Forestry & Recreation Director Doug Gaynor stated the Recreation Board adopted a reservation policy for athletic fields. There is informal etiquette that is followed at tennis courts. If there were an informal game being played on a baseball field or basketball court, it would not require a reservation and no tickets have been issued to date. Mr. Gaynor stated there are signs but was not sure they were at every field/backstop. He said a future task for the entire park system is a signage program showing ordinances/policies.

Amy Johnson, 711 Church St., represented Chipotle Mexican Grill, said they were found in violation of the sidewalk permit and apologized. They have scheduled employees to make sure refuse is picked up to ensure no future incidents.

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

Alderman Engelman moved Council approval of the Consent Agenda with these exceptions: Special Event – Fourth of

July Picnic in Harbert Park, 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) and Ordinance 60-O-02 – Annual Budget of Evanston Township – FY 02/03. Seconded by Alderman Rainey. Roll call. Voting aye – Wynne, Bernstein, Kent, Moran, Engelman, Rainey, Newman, Jean-Baptiste. Voting nay – none. Motion carried (8-0).

**\* ITEMS APPROVED ON CONSENT AGENDA**

**MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of June 10, 2002 and of the Special City Council Meeting of June 3, 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 June 20, 2002 and the City of Evanston bills for the periods ending June 25, 2002 and that they be authorized and charged to the proper accounts, summarized as follows:

City of Evanston payroll (through 06/20/02)	\$1,836,953.36
City of Evanston bills (through 06/25/02)	\$3,397,718.00

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

\* Approval of proposal from Kubra for a three-year contract to provide printing, mailing and electronic bill preparation and payment services for water/sewer/recycling bills at an annual cost of \$41,624. \* 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 2003 Ford F350 dump truck for the Parking Division of Public Works Department at a cost of \$42,278 including delivery and extended warranty.

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



\* Special Event – Fourth of July Celebration – Consideration of a request to hold the Fourth of July Association to approve the Fourth of July activities and waive associated City costs for the event. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 51-R-02 – Lease Renewal – League of Women Voters – Consideration of proposed Resolution 51-R-02, which authorizes the City Manager to sign a lease renewal with the League of Women Voters for Room 1002 of the Civic Center. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 52-R-02 – Appropriation of Motor Fuel Tax Funds – Consideration of proposed Resolution 52-R-02, which authorizes the appropriation of \$525,000 in MFT funds for resurfacing streets with replaced water mains. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Ordinance 59-O-02 – Amending Section 9-5-4 of the City Code – Disorderly House Penalties – Consideration of proposed Ordinance 59-O-02, which amends Section 9-5-4 of the City Code providing for a mandatory fine and disposition by Administrative Adjudication. \* MARKED INTRODUCED – CONSENT AGENDA

**PLANNING & DEVELOPMENT:**

\* Ordinance 57-O-02 – Amending Title 4, Chapter 2 of City Code to Provide for Digital Submission of Construction Documents – Consideration of proposed Ordinance 57-O-02, which specifies digital transmission of construction documents for building permits for large-scale projects. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 63-O-02 – Special Use for Type 2 Restaurant – 910 Noyes St. – Consideration of proposed Ordinance 63-O-02, which approves a recommendation of the Zoning Board of Appeals to grant a special use for an independent sandwich shop at 910 Noyes, subject to compliance with a litter collection plan. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 62-O-02 – Special Use for 812 Davis St. (Quizno’s Restaurant) – Consideration of proposed Ordinance 62-O-02, introduced June 10, 2002, 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. \* ADOPTED CONSENT AGENDA AND ROLL CALL (8-0)

### HUMAN SERVICES:

\* Ordinance 12-O-02 – Amending Sections of the City Code Pertaining to Enforcement of City Park Regulations – Consideration of proposed Ordinance 12-O-02, introduced June 10, 2002, which amends sections of Chapters 9, 10 and 11 of the City Code pertaining to enforcement of City park regulations. \* ADOPTED CONSENT AGENDA AND ROLL CALL (8-0)

### APPOINTMENTS:

Mayor Morton asked for confirmation of the following appointments:

Patricia Lane 1621 Kirk St. For term ending June 30, 2005	Human Relations Commission
Victoria Higgins Wolpoff 2037 Pratt Ct. For term ending June 30, 2005	Human Relations Commission
Clint Funk 1024 Judson Ave. For term ending June 30, 2005	Preservation Commission
Stanley Gerson 200 Lee St. For term ending June 30, 2005	Preservation Commission
Robert Creamer 1500 Oak Ave. For term ending June 30, 2007	Zoning Board of Appeals

Mayor Morton asked for confirmation of the following reappointments:

Myrtle S. Wangerin 422 Davis St. For term ending June 30, 2005	Commission on Aging
Irene Ziaya 2700 Bryant Ave.	Commission on Aging



Ordinance 61-O-02 – Special Use for 506 Main St. (Subway Restaurant) – Consideration of proposed Ordinance 61-O-02, introduced June 20, 2002, 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 P&D Committee had added the following conditions to Ordinance 61-O-02. “The litter pickup shall be a minimum of three times per week, one pickup which shall be on Sunday. The use shall at all times be served by one dumpster dedicated to the use, of sufficient capacity to hold under a closed lid all litter generated between the required three pickups. The subject use shall not utilize for the disposal of litter generated in the production of any product for sale by said Type 2 restaurant, any litter receptacles owned or maintained by the City or any not-for-profit agency, which the City or said not-for-profit agency maintains for purpose of collecting litter generated by the public. Prior to the issuance of Certificate of Occupancy the applicant shall submit and receive approval of a plan to the Zoning Division of the City providing for off-street parking by employees of the use. No deliveries shall be made to the subject Type 2 restaurant on any day prior to 9:00 a.m.” Alderman Newman moved the Ordinance be amended with those conditions. Seconded by Alderman Wynne. Motion carried. No nays.

Alderman Newman moved approval of the amended ordinance. Seconded by Alderman Wynne.

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

Alderman Newman reported discussion in committee of a recommendation that the City index the rate of interest that can be charged that landlords must pay on security deposits. Staff was directed to bring back an ordinance similar to the one included in the packet, which will be considered during July. The committee began a discussion on requiring sprinklers in nursing homes, dormitories, fraternities, and rooming houses. Staff will begin a process in which the committee will receive comment and develop an ordinance.

Alderman Newman reported at the Special P&D Committee meeting on binding appearance review that there were some suggested changes and that would probably be brought back next month.

### **HUMAN SERVICES:**

Ordinance 60-O-02 – Approval of Annual Budget of Evanston Township for FY 2002/2003 – Consideration of proposed Ordinance 60-O-02, introduced June 10, 2002, 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.

Alderman Rainey moved that Council reconvene as Township Trustees. Seconded by Alderman Engelman. Motion carried. No nays.

Trustee Rainey moved approval. Seconded by Trustee Bernstein.

Trustee Rainey stated the reason she asked that this be taken off the Consent Agenda was she believed this was the first time taxpayers are being charged \$1,433,500 with virtually no discussion. She noted the Human Services Committee minutes show little time was spent on the Township budget and thought someone might wish to speak about it. She planned to vote against it because there was no explanation of why client payments this year will jump to \$322,640 from last year’s budget of \$284,840 given client payments for housing and personal expense remain the same and saw no indication client numbers are increasing. A criticism of current information is that in March, Trustees were given nine-month totals. It is June now and they still don’t have better information on current actuals and it shows they are behind in client payments. She thought this was an overreaction. Any problems with employment have already occurred. The Township does a great job, unlike in the past, when there was an extraordinary number of clients and provides benefits to those deserving of them. She saw no reason to tax taxpayers for money that won’t be spent. Trustees hear “you never know” and heard the same thing last year so the amount of money for client services was increased and has not been spent. She said client numbers are kept down, salaries are going up with a payroll of over ¼ million dollars. If money

is not spent on clients it would probably be spent somewhere else, which concerned her. Trustee Rainey noted months are spent discussing the City's budget and this budget was virtually not discussed. In response to Mayor Morton, Trustee Rainey said the budget was unanimously voted on in the Human Services Committee.

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

**CALL OF THE WARDS:**

**3<sup>rd</sup> Ward.** Alderman Wynne wished all a happy 4<sup>th</sup> of July.

**4<sup>th</sup> Ward.** Alderman Bernstein wished everybody a happy 4<sup>th</sup> of July and invited all to march in the parade. He thanked Coach Mark Success and the Girls Soccer Team for their splendid Illinois State Soccer Championship. He expressed condolences to the family of Laura Addelson, noting that she grew up here, became a preeminent attorney and will be missed.

**5<sup>th</sup> Ward.** Alderman Kent wished to notify the Police Department that for the past several days, young men have opened fire hydrants at Foster/Jackson with a pipe wrench. The Fire Department was there at least four times that day. He said there would be water in the hydrants should there be a fire but firefighters won't be able to open the hydrant because the nut is stripped. He asked the Fire Chief to find a locking mechanism or different type of fire hydrant. The last time there was this problem was when the Bulls won the NBA championship.

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

**7<sup>th</sup> Ward.** Alderman Engelman made a reference to the A&PW Committee to investigate regulation of ultra high frequency emission devices. He noted Council passed an extension of liquor license for 1800 Sherman that evening, which grew out of last year's budget discussions about relaxing liquor restrictions. He made a reference to the A&PW Committee to look at liquor restrictions specifically with regard to what is currently allowed in the core area downtown being expanded to the Central Street business district, the Main Street business district or other areas aldermen deem appropriate. That included examining the issue of allowing restaurants to close their kitchens without closing the bar after certain hours.

He reported the Budget Committee met last week and want to address the Capital Improvement Plan for next year as early as possible to give staff direction on what they are doing and how much it would cost because that has an impact on bonding, interest and the operating budget. To accomplish that, they would like Council to have a goal setting session soon. He made a reference to the Rules Committee to set a goal setting session for Council/staff to determine priorities, how to pay for them so they can begin to give staff an idea of what they expect to see in the Capital Improvement Plan. The committee will meet at least once during July to begin policy discussions with regard to the CIP and may have to have a special meeting to discuss multi-year budgeting, changing the fiscal year and a special meeting on wage issues. All Council members are welcome.

**8<sup>th</sup> Ward.** Alderman Rainey said on the Township budget, excluding expenditures for the assessor's office, it was important for taxpayers to know that it costs \$1 million to provide \$322,000 in grants to indigent residents.

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

**1<sup>st</sup> Ward.** Alderman Newman made a reference to the A&PW Committee to reconsider the \$50 fine for parking within eight feet of a driveway. He did not think that amount of fine was the intent of Council; thought it was overkill and happens mostly in residential areas.

He looked at the Budget Committee materials and noticed for the last fiscal year they had extensive discussions about how the City would be down \$2 million. A letter went out to various people using the word "crisis" and it has turned out the City finished \$954,000 in the black for the last fiscal year. He stated there never was a crisis. There was the 9/11 incident and a need to make financial adjustments. Staff did a good job of recommending adjustments and improvements were made. He said the City is \$3 million better off as a result of official totals than they thought they were during the budget process. That little known fact included in the Budget Committee packet is not getting any attention after the community was told the dire financial condition the City is in. He said the City continues to be an Aaa rated city, is not in a dire financial situation, no crisis ever existed and staff did a good job of recommending adjustments, which were made. He said that message needs to get out. Currently, wrong information is floating around the City. He hoped the City Manager's office would make every effort to get

that item out to the news media. He suggested they needed to be careful about the words that are used. He would not fault anyone who said the City was under some financial pressures, there was an alert and they had to make some readjustments.

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste also congratulated Mark Success for leading the Girl's Varsity team to a state championship. He was a soccer player for the ETHS Soccer team that won a state championship. He pointed out that Mark Success was a player who came up under the Pele Stars started by his cousin, who trained a number of the current soccer coaches in Evanston. He said that for the first time the multi-national squad called Jabat has a home at Lovelace Park.

He asked the City Manager to bring Council up to date on what is happening at Builder's Square. The area is dirty and the parking lot is unkempt, which brings down the value of that shopping center. Several stores are starting to leave. He recognized the City has no direct control, but suggested it make demands on the owners and to more aggressively market that to attract some activities there. He recommended it be given the highest level of priority so that tax revenue could be generated.

There being no further business to come before Council, Mayor Morton asked for a motion to adjourn. The Council so moved at 9:58 p.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.