

CITY COUNCIL

November 25, 2002

ROLL CALL - PRESENT:

Alderman Wynne
Alderman Bernstein
Alderman Kent

Alderman Moran
Alderman Rainey
Alderman Feldman
Alderman Newman

A Quorum was present.

**NOT PRESENT AT
ROLL CALL:**

Aldermen Engelman, Jean-Baptiste

ABSENT:

None

PRESIDING:

Mayor Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton Monday, November 25, 2002 at 9:40 p.m. in the City Council Chamber.

Announcements:

Parks/Forestry & Recreation Director Doug Gaynor invited all to the annual Menorah Lighting ceremony December 3, at 5:30 p.m. at Fountain Square and the Christmas tree lighting ceremony December 5 from 4:30 – 6:00 p.m. at Bank One Plaza. Mayor Morton noted this is the largest Menorah in the City and the 10th time in city history that citizens can enjoy this symbol.

Public Works Director David Jennings reminded citizens that the Thursday pickup of refuse, recycling and yard waste would be Friday, November 29 and the week of December 2 was the last week for curbside yard waste pickup. The yard waste drop off site at the former recycling center is open December 13-15. Street sweeping ends on this Wednesday.

Mr. Jennings announced that snow-parking regulations go into effect December 1. The snow plan is the same this year as last year except that one-sided parking streets will be plowed at the same time and frequency as two-sided parking streets. Sirens will not be used for snow emergencies.

Mayor Morton reminded all to support “drive smart/drive sober ... help keep the holidays joys” campaign by the Illinois Traffic Safety Leaders, Illinois Chamber of Commerce and Illinois Department of Transportation/Division of Traffic Safety by hanging tree tags with that message. The tags are available at Peer Services.

Communications: None

CITIZEN COMMENT:

Allan Drebin, 2018 Orrington Ave., spoke about severe parking problems on Orrington, in Residential Parking Zone A, claiming the zoning is not effective. When his family comes home from shopping there is no place to park despite the zoned parking. A proposal to split the district in half on a north/south basis did not make much sense to him. He said the problem with parking there has to do with Northwestern University, which is one block away. Students park there and by splitting the district north/south, it does nothing about Northwestern. If they were to divide west of Sherman Avenue so that the place that is now zoned “G”(in fact, a block west of Sherman between Maple and Sherman has both “A” and “G” and he did not understand why) that could easily be cut out of the district. He suggested the problem is daily permits, which the City sells for 20¢ per day. He said 20¢ per day, five days a week is \$1 per week. A person could park in a zoned area 50 weeks a year for \$50. A parking permit from NU costs \$325 of which a large portion is city tax. He did not think the 20¢ covers the cost of enforcement in which a patrol officer has get out of the car, inspect the permit, make sure the day is marked properly, then mark the tires in some way. The City could not do that for 20¢. He suggested raising the price of daily permits to \$1 or \$2. At \$2 per day for a year, it would be about the same price as a NU permit. If people at NU don’t have enough parking that would encourage them to develop more parking lots and that would help

the problem. Another problem he has observed is about half the cars that have daily permits are not visiting residents, but are students attending class. The people parking there with permanent stickers pay \$10. If they don't have an Evanston permit, the cost is \$60. He noted the daily permit is cheaper than the \$60. He has observed that many people with out-of-state licenses have permanent stickers, which are supposed to be for residents. He asked can people be residents and have out-of-state license plates? If their car is domiciled here, why don't they get Illinois plates? He said some will say that does not do Evanston much good, but some streets here are maintained by the state and should not people contribute something to the state to help maintain streets such as Ridge Avenue? He noted there are no parking problems during July and August when enforcement officers come, there are no cars on the street; suggested they could save some money by not deploying parking officers during those months on streets around the University.

He noted permits are also given to trucks and often a truck is parked in front of his house. There is a distinction between a pickup truck for personal use and one used for commercial purposes. He explained that the state distinguishes with truck license plates. If a truck has "truck" license plates, it is not a residential vehicle, should not park on the street at night and not be given an "A" sticker.

Recently, the Preservation Commission turned down an application by Garrett-Evangelical Theological Seminary to build a parking lot east of Sheridan Road that does not infringe on any residential neighborhoods. The concern was about how this parking lot would look against a historic landmark structure. He said if the City continues to deprive NU and Garrett of the ability to build parking lots that will make the parking problems worse. He commented that it costs more than 20¢ to park downtown for just an hour, yet people can park all day in front of his house for 20¢. He thought by changing this, it might help the budget and be a step in the right direction.

Betty Ester, 1806 Grey Ave., requested the P&D Committee consider rezoning an area in the 5th Ward to lessen density and that this item be on the P&D Committee agenda for consideration at a January 2003 meeting. She said this has been talked about for a year and a large portion of this neighborhood, which is zoned R4 and R5, want it down zoned to R3. A group will come and explain why they want it down zoned when this is on the agenda. She said an item discussed was teardowns, which is a concern in her ward and was brought forth by Alderman Moran. They will help and support him when such an ordinance is created.

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Feldman moved Council approval of the Consent Agenda with the following exceptions: bid of Bob Ridings for a 2003 Dodge Caravan SE cargo minivan; Chicago Avenue Streetscape Concept Design; Authorization for Design Work; Ordinance 102-O-02 – Amending Overnight Parking Restrictions in Downtown; Ordinance 111-O-02 – Nuisance Premises; Ordinance 115-O-02 – Failure to Display a Vehicle Sticker and Ordinance 114-O-02 – Zoning Ordinance Text Amendment: Convenience Stores & Open Sales Lots. Seconded by Alderman Rainey. Roll call. Voting aye – Wynne, Bernstein, Kent, Moran, Engelman, Rainey, Feldman, Newman, Jean-Baptiste. Voting nay – none. Motion carried (9-0).

*** ITEMS APPROVED ON CONSENT AGENDA**

MINUTES:

* Approval of Minutes of the Regular City Council Meeting of November 11, 2002. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

ADMINISTRATION & PUBLIC WORKS:

* Approval, as recommended, of the City of Evanston payroll for the period ending November 21, 2002 and the City of Evanston bills for the period ending November 26, 2002 and that they be authorized and charged to the proper accounts, summarized as follows:

City of Evanston payroll (through 11/21/02)	\$1,873,634.36
City of Evanston bills (through 11/26/02)	\$2,979,056.17

* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Approval of the lowest responsive and responsible bid from Belmontee Kaplan for the Fleetwood-Jourdain Locker Room and Lift Construction Project at a cost of \$281,200. (Funded through CDBG program.) * APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Approval of Change Order #1 with Clauss Brothers for the Butler Park Redevelopment Project for Parks/Forestry & Recreation, reducing the contract price by \$14,899.90, from \$823,615.73 to \$808,715.83. * APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Approval of Change Order #12 for the Meyne Company for the new Levy Center Project, for an increase of \$8,176, increasing the contract from \$7,588,071 to \$7,596,247. (Funding is through the CIP and private donations.) * APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)



* Special Event: Annual First Night Evanston Celebration – Consideration of a request to hold the annual First Night Evanston celebration on December 31, 2002 to January 1, 2003. * APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Motor Fuel Tax Program Street Resurfacing Program – Preliminary Approval – Consideration of a recommendation to give preliminary approval to the 2003 MFT street resurfacing program. (Funding is through MFT and CIP funds.) * APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Ordinance 121-O-02 – City of Evanston 2002 Property Tax Levy Ordinance – Consideration of proposed Ordinance 121-O-02, which legally imposes the City property tax levy. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 122-O-02 – 2002 Property Tax Levy Ordinance/Special Service Area #4 – Consideration of proposed Ordinance 122-O-02, which legally imposes the property tax levy for Special Service Area #4. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 123-O-02 – Evanston Township 2002 Property Tax Levy Ordinance – Consideration of proposed Ordinance 123-O-02, which legally imposes the Evanston Township property tax levy. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 124-O-02 – Increase in Class C Liquor Licenses – Consideration of proposed Ordinance 124-O-02, which increases Class C liquor licenses, not to exceed 20, with the addition of Los Alcores, Inc. dba Restaurant Gio, 1629 Chicago Ave. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 125-O-02 Increase in Class D Liquor Licenses - Consideration of proposed Ordinance 125-O-02, which increases Class D liquor from 23 to 24 with the addition of 3-D Enterprises, Inc., dba Vive LaCrepe, 1565 Sherman Ave. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 126-O-02 – Increase in Class D Liquor Licenses – Consideration of proposed Ordinance 126-O-02, which increases Class D liquor licenses from 24 to 25 with the addition of Dozika, Inc., dba Dozika Pan-Asian Cooking & Sushi Bar, 601 Dempster St. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 127-O-02 – Increase in Class B Liquor Licenses – Consideration of proposed Ordinance 127-O-02, which increases Class B liquor licenses, not to exceed nine, with the addition of Brinker Restaurant Corp., dba Chili's Grill & Bar, 1765 Maple Ave. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 106-O-02 – Vacation of Alley – Consideration of proposed Ordinance 106-O-02, introduced November 11, 2002, by which the City Council would approve the vacation of a portion of an alley north of Harrison St. and west of Crawford Ave. * ADOPTED CONSENT AGENDA & ROLL CALL (9-0)

* Ordinance 112-O-02 – Easement Agreement with 624 Davis St. LLC for 622 Davis St. – Consideration of proposed Ordinance 112-O-02, introduced November 11, 2002, which grants an easement at 622 Davis St. for gas meters and connections on the public right-of-way. * ADOPTED CONSENT AGENDA & ROLL CALL (9-0)

* Ordinance 113-O-02 – Two-way Stop – Lake St. and McDaniel Ave. – Consideration of proposed Ordinance 113-O-02, introduced November 11, 2002, which amends Section 10-11-5, Schedule V(B) of the City Code to establish a two-way stop sign at Lake St. and McDaniel Ave. * ADOPTED CONSENT AGENDA & ROLL CALL (9-0)

* Ordinance 119-O-02 – Declaring City Property as Surplus – Consideration of proposed Ordinance 119-O-02, introduced November 11, 2002, which declares various items (vehicles and other misc. items) as surplus property so that it may be sold in the upcoming auction in Libertyville on December 15, 2002. * ADOPTED CONSENT AGENDA & ROLL CALL (9-0)

* Ordinance 118-O-02 – Easement Agreement with Metropolitan Water Reclamation District – Consideration of proposed Ordinance 118-O-02, introduced November 11, 2002, which authorizes the City Manager to sign an easement agreement with the MWRD for a storm sewer at Isabella St. and the North Shore Channel, needed for the Phase IX, Contract A Relief Sewer Project. * ADOPTED CONSENT AGENDA & ROLL CALL (9-0)

PLANNING & DEVELOPMENT:

* Ordinance 110-O-02 – Special Use and Variances for 1945 Darrow (Church Parking Lot) – Consideration of proposed Ordinance 110-O-02, introduced October 28, 2002, to grant a special use and variances to permit Faith Temple Church of God in Christ to use 1945 Darrow as accessory parking. * ADOPTED CONSENT AGENDA & ROLL CALL (9-0)

APPOINTMENTS:

Mayor Morton asked for introduction of the following appointments:

Ruth Lipschutz 223 Grey Ave.	Board of Ethics
Joel S. Freedman 2151 Hartrey Ave.	Energy Commission
Philip G. Levis 1245 Elmwood Ave.	Housing Commission
Maria Shorten 2237 Dodge Ave.	Housing Commission
Kristian Harris 2216 Greenwood St.	Playground & Recreation Board

Mayor Morton asked for introduction of the following reappointments:

Horace Payne 835 Florence Ave.	Housing & Community Development Act Committee
Michael Cervantes 2106 Ewing Ave.	Human Relations Commission
Mavis Hagemann 2009 Harrison St.	Human Relations Commission
George W. Woolridge, Jr. 250 Ridge Ave.	Parking Committee
Cheryl Wollin 2025 Sherman Ave.	Public Art Committee

*APPROVED - CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES

ADMINISTRATION & PUBLIC WORKS:

Alderman Feldman moved approval of the lowest responsive and responsible bid of Bob Ridings Inc., through the State of Illinois low bid process, for one 2003 Dodge Caravan SE cargo minivan for the Parking Division, in the amount of \$21,232 including delivery and 7-year/70,000-mile extended warranty. Seconded by Alderman Rainey.

Alderman Newman was distressed by a lack of effort to buy vehicles in Evanston; noted a Chrysler dealer has a similar car and acknowledged differences between cargo versus passenger vehicles. He made a reference to A&PW Committee to consider requiring staff, when preparing a Council memo on a vehicle purchase, to include a brief statement on efforts to purchase a vehicle in Evanston. These are major items and car dealers are important to the Evanston economy. He could not remember when the City purchased a vehicle here. He called the Chrysler dealer and found they have a similar vehicle but did not know how much cargo would be carried around for parking meters or whether the Chrysler dealer could have produced a vehicle. He did not see great savings. The City buys in Taylorville and, at the same time, urges people to buy vehicles here. He wanted staff to see this as a high priority; suggested the City should lead and set an example for other taxing bodies. He noted that five or six dealers will be here for a while and should be supported.

Alderman Feldman stated that the A&PW Committee agreed. A dealer here was contacted and given specifications. There was a significant difference in the type of vehicle and the Evanston dealer did not ordinarily carry this vehicle. The dealer did not respond after several phone calls nor get back to staff. When bidding is open to everybody, it would have to be rebid in Skokie, Wilmette and other places. All requirements for competitive bidding are met by piggybacking onto the state's competitive bid. If the City wants to include Evanston dealers, they have to open it up and send to as many dealers as possible, then the 5% advantage for an Evanston dealer comes into play. If Evanston dealers meet the specifications with even 5% above the next lowest bid they would get the contract.

Roll call. Voting aye – Wynne, Bernstein, Kent, Moran, Engelman, Rainey, Feldman, Newman, Jean-Baptiste. Voting nay – none. Motion carried (9-0).

Approval of Chicago Avenue Streetscape Concept Design – Consideration of a recommendation to approve the Chicago Avenue Streetscape Concept Design.

Alderman Feldman moved approval. Seconded by Alderman Wynne. Motion carried.

Authorization for Design Work – Consideration of a recommendation to authorize negotiation of a price for design work for a section of the Chicago Avenue Streetscape.

Alderman Feldman reported that this item was held in committee.

Ordinance 102-O-02 – Amending Overnight Parking Restrictions in Downtown Evanston – Consideration of proposed Ordinance 102-O-02, introduced November 11, 2002, which amends Section 10-11-9, Schedule IX of the City Code to amend overnight parking restrictions in the downtown area to prohibit parking from 3:00-6:00 a.m. in some areas.

Alderman Feldman moved approval. Seconded by Alderman Rainey.

Alderman Rainey noted the tree tag from Peer Services that was held up earlier and that Mothers Against Drunk Driving (MADD) is speaking out about increased drunk driving. She said the City is altering their parking requirements from 2:00 a.m. to 3:00 a.m. to accommodate people who frequent bars with a 3:00 a.m. liquor license. The problem she sees is that they will drink then get in their cars and drive away. It has been argued that Evanston has police officers out enforcing sober driving, which is an expense. She proposed they amend the ordinance by deleting 3:00-6:00 a.m. and leave in the part that affects the athletic club. There was no second.

Roll call. Voting aye – Wynne, Bernstein, Kent, Moran, Engelman, Feldman, Newman, Jean-Baptiste. Voting nay – Rainey. Motion carried (8-1).

Ordinance 111-O-02 – Nuisance Premises – Consideration of proposed Ordinance 111-O-02, which enacts a new section, 9-5-4, regarding nuisance premises. (Due to substantive changes, 111-O-02 replaces 59-O-02).

Alderman Feldman moved approval. Seconded by Alderman Kent.

Roll call. Voting aye – Wynne, Bernstein, Kent, Rainey, Feldman, Newman, Jean-Baptiste. Voting nay – Moran, Engelman. Motion carried (7-2).

Ordinance 115-O-02 – Pertaining to Failure to Display a Vehicle Sticker – Consideration of proposed Ordinance 115-O-02, which amends Sections 10-8-10 and 10-11-17 of the City Code pertaining to penalties for failure to display vehicle stickers.

Alderman Feldman explained they had a revised ordinance that establishes the penalty for failure to purchase the Evanston City sticker at \$30 and will establish the penalty for failure to display the sticker at the same amount. These two violations are slightly different under the law and require different code sections for enforcement. This ordinance makes this clarification and was recommended for approval. He moved approval of revised ordinance 115-O-02. Seconded by Alderman Rainey.

Alderman Engelman was concerned with the part of the ordinance that quasi-criminalizes the failure to display the city sticker; believed it unconstitutional and violates due process. Staff gave him a case that sets forth its constitutionality, which he thought was not on-point. The case dealt with powers under home rule to enact an ordinance, which in this case, dealt with the authority to require the purchase, but not the display, of the sticker. He called this a revenue-producing ordinance – a wheel tax designed solely for the purpose of raising revenue for the City. If someone has complied and paid this tax, then they would fine someone who has failed to display the sticker. He said this measure is not necessary for the safety, health and welfare of citizens and that is why they pass ordinances that require a fine.

Alderman Engelman moved to amend the ordinance by deleting the words “without displaying” from paragraph 2 of Section 10-11-17 and remove the words “without displaying” from Section 10-8-10. It would still impose a fine if

someone failed to buy the sticker but not impose a fine for failure to display the sticker. Seconded by Alderman Moran.

Alderman Feldman said that the amendment could cause vast numbers of people, who realize they don't have to display their vehicle sticker, not to display it. That would mean the City would have large numbers of people here without stickers on their windshields and no way for police or parking enforcement to know from looking if they had purchased a sticker. Police and parking enforcement would see cars without stickers and look up the license on their computers. During the course of a year, one individual could be looked up many times. The requirement, for the City to know the owner has complied without going through records, is to display the sticker. The State of Illinois requires not only buying a license plate, but also displaying it. Requiring display of the sticker is so police/parking enforcement knows there is compliance. He asked why anybody relieved of the responsibility of displaying their license would do it? Without this ordinance he saw chaos in the community.

Alderman Jean-Baptiste explained that prior to the requirement that those charged with this violation go through the Administrative Adjudication process, they used to go to the Skokie court. When those charged got there, they produced their sticker and the charge was dismissed. That has not resulted in a major desertion of posting vehicle stickers on vehicles. He did not think people should be punished because they failed to put the sticker on and if they have it and can produce it, let it go. If this becomes a problem, they may want to find a way to correct it but he did not think it was a problem now. He said the main thing they want people to do is purchase a sticker. He supported the amendment.

Alderman Rainey suggested that if a person goes anyplace in the USA where municipalities have stickers, people put them on their cars because they have to. People buy building permits to do remodeling within buildings and display the permit where it can be seen. She hoped they did not give into *not* having to display building permits.

Alderman Newman said he did not know how serious the staff was about this because those not on the A&PW Committee will have to go to the minutes next week for an explanation. He said the staff gave no reason to justify the ordinance and without knowing the problems of enforcement, he thought if staff really wants this, to hold it and ask staff for a two paragraph memo as to why it is needed, how it will help enforcement and revenue. He did not know what the imposition was when somebody buys a sticker, then puts it on their vehicle. He would rather have it on his vehicle than to have to appear somewhere or write a letter. He did not know how the amendment helps somebody but would like to know how this change affects revenues, enforcement and time.

Alderman Moran was not in favor of the ordinance because it was another example of a way to get after citizens that disregards reality. He was impatient with ordinances for violating various parking regulations, where frequently an inadequate supply of parking is available. People go downtown, can't find a spot, take a chance and get a ticket. He knows revenue is needed, but found this a shortsighted policy toward revenue generation. He thought this was being done to raise revenue. He said the City wants people to pay money, so they have a license to operate a vehicle here. All agree on buying the vehicle sticker, now they say if it is not displayed, people will be gotten for that. He suggested they are getting at people for too much and giving them too little.

Alderman Engelman stated that requiring somebody to get a building permit is not strictly a revenue producing measure, but is designed to protect the health, safety and welfare of citizens. A permit is required so the City can inspect the premises and make sure construction was done properly so the building doesn't fall down or hurt somebody. The wheel tax is nothing more than a revenue producing measure. He agreed with Alderman Jean-Baptiste that they would not have problems with people who don't display the sticker and multiple enforcement. The way it is done now is when police officers see no city sticker displayed, they either give a ticket for failure to purchase a city sticker, a violation of the current ordinance, or a ticket for failure to display a city sticker, which is a violation of another section of the ordinance. How they decide what to give is determined by communicating to determine if a city sticker is registered to the vehicle. He suggested they should be enacting legislation to promote the health, safety and welfare of citizens or to raise revenue, but should not be criminalizing citizens who have complied by purchasing a city sticker.

Alderman Bernstein would prefer that his constituents not have to come forward and prove they have purchased a city sticker if they failed to display it. He thought by mandating something they should have purchased, that they save the officer's time and the citizens from being stopped to determine whether the sticker has been purchased.

Alderman Feldman was sure revenue production was not the reason this ordinance was being enacted. The reason was for compliance. He said when somebody is cited, they go to Administrative Adjudication and are asked to produce the sticker, that has been acknowledged here. He said there was a theme that “revenue producing” is something devilish, horrible or dishonest that this Council does. He stated that the City gets revenue to pay for police and do things that people want and need. To characterize concepts such as revenue producing as something that is to be avoided at all cost unless there is an emergency, was unfair to government and should not be spread around this community. It was evident to him that leaving the windshield blank will cost the City a lot of money. He said the only ones who know are the parking enforcement staff, who will have to check people over and over. He asked wasn't that the kind of thing they did not want to happen? All people have to do is comply, which saves everybody money and solves the problem.

Mayor Morton asked City Manager Crum for the rationale this ordinance? Mr. Crum responded from a practical view, it is inconvenient for people. He said you can go to a neighborhood and people ask why doesn't the City give tickets to all who don't have a vehicle sticker and why isn't this enforced? One has to explain that the license must be checked first and called in to see if a sticker was purchased. The neighbor wants to know why somebody does not have the vehicle sticker displayed. This is not a revenue-producing item. The City wants compliance and a visible sticker does that. In response to Mayor Morton, Mr. Crum said this has been a nuisance to enforce, but not a major problem.

Alderman Rainey said the City has excellent attorneys who put this ordinance together and she asked for an explanation. She said Evanston police officers give the tickets if a vehicle does not have the sticker displayed and they have no knowledge if the owner has purchased one. They can check with the Secretary of State to determine if that car is registered to an Evanston address, but if the sticker is not displayed, they don't know because there is no record of the sticker purchase at the Police Department. She said this information is on hand-held computers carried by parking enforcement officers. If a person has bought but not displayed a sticker and an officer comes along, they will be ticketed and inconvenienced.

First Assistant Corporation Counsel Herb Hill explained this ordinance creates two separate fine categories; one fine for not purchasing a city vehicle sticker and a separate fine for not displaying that sticker. He said that Alderman Engelman believes the City does not have the home rule authority to impose the fine for non-display of the sticker. A 1977 Hoffman Estates case was presented to Alderman Engelman that was on the point of an individual not displaying the city sticker. A company was cited for not displaying a city sticker, went to the Appellate Court in the 1st district and the court determined that the city had the authority to levy a wheel tax. The ticket issued was for not displaying the sticker, so it was sustained. He stated staff believes the 1977 case establishes legal authority for this ordinance.

Alderman Newman called the question. Seconded by Alderman Rainey. Motion carried. No nays.

Roll call on amendment. Voting aye – Moran, Engelman, Jean-Baptiste. Voting nay – Wynne, Bernstein, Kent, Rainey, Feldman, Newman. Motion failed (3-6).

Roll call. Voting aye – Wynne, Bernstein, Kent, Rainey, Feldman, Newman. Voting nay – Moran, Engelman, Jean-Baptiste. Motion carried (6-3).

PLANNING & DEVELOPMENT:

Ordinance 114-O-02 – Zoning Ordinance Text Amendment: Convenience Stores & Open Sales Lots
– Consideration of proposed Ordinance 114-O-02, which approves the recommendation of the Plan Commission concerning convenience stores and open sales lots.

Alderman Bernstein reported that this item was held in committee.

CALL OF THE WARDS:

3rd Ward. Alderman Wynne wished all a happy, healthy and safe Thanksgiving.

4th Ward. Alderman Bernstein was thankful for good health, the love of his family and for being part of a dynamic Council that is moving the City in a progressive direction. He wished those who observe a happy Chanukah and invited citizens to join the candle lighting ceremony.

He announced a Civic Center Committee meeting on December 9 at 5:30 p.m. followed by a Special City Council meeting for the City Manager's evaluation. He reported the Civic Center Committee had begun to discuss the problems of the Civic Center; asked for information on space requirements and potential sites for the Civic Center. He thanked Dick Stillerman, whom he called the "town crier," for his letter to the editor. He stated the City has a budget crisis and one way citizens can assist is to Shop Evanston First; urged people to spend money here because it comes back many-fold. He saw a "Summer Youth Employment Program" van go by and wondered how that van was used for other than nine weeks in the summer? Could it be used elsewhere to maximize efficiency of the City's fleet?

5th Ward. Alderman Kent thanked those who supported the nuisance premises, as it was sorely needed in the 5th Ward.

As a member of the third grade teaching team at Washington School, he was proud of a project by the children, who will provide 125 sack lunches the next day to the Hemenway Church Soup Kitchen. The children decorated the sacks with wonderful thoughts and pictures, families pitched in and Bill's Finer Foods donated the turkey for the sandwiches.

He announced Christmas Revels will celebrate the freedom train and Christmas in Appalachia with fiddling, stomping and gospel singing in the old mountain style December 5-6 at 8:00 p.m., December 7 at 2:00 p.m. and 8:00 p.m. and December 8 at 2:00 p.m. at Cahn Auditorium. Tickets are available at the Pick Staiger ticket office.

6th Ward. Alderman Moran was glad Council adopted the bicycle plan. He thanked the P&D Committee, Jim Wolinski and staff for taking up issues related to teardowns; said homes in the 6th Ward have been torn down and replaced by large houses that are frequently not compatible with the block and neighborhood. He said this is important to many people here. He wished all a good Thanksgiving.

7th Ward. No report.

8th Ward. Alderman Rainey wished all a happy Thanksgiving.

9th Ward. No report

1st Ward. Alderman Newman reported on a November 4 meeting in the 1st Ward about parking restrictions. Several concerns voiced in Citizen Comment were raised at that meeting and he was sorry that he did not get back to the speaker. He said out-of-state people who want an "A" sticker have to pay equivalent to the city sticker fee (\$60). That was studied about 8-9 years ago and there were equal protection restrictions in trying to enforce the law. Visitor's stickers in the neighborhood are a problem and, would be a bigger problem, if they were to charge people \$1 or \$2 a day. If somebody having a weekly bridge game invited 4-5 people over, they would not want to pay \$10 for their visitors or somebody having a party would not want to pay \$40. He commented why should residents pay more when they pay such high taxes. Those problems are being looked at.

He said since the ordinance was changed to extend meter hours in downtown Evanston there has been significant improvement in turnover of parked cars. There are spaces on the street and people are seeing them. He pointed out free parking is provided in multiple locations. There is free parking after 6:00 p.m. at Church/Chicago and Sherman Avenue garages and soon at the Maple Avenue garage. He predicted the total additional revenues would be more than \$1 million. He noted it was reported in *Highlights* that this year through October, the City collected \$1 million and \$400,000 more than was collected all of last year. He said that none of that additional collection has been reflected in the projections for 2003-04. He thought they would be raising more revenue.

He followed up on Alderman Rainey's concerns about who is picking up on assessed values and increased taxes. He spoke with the Assessor; asked the City Manager's office to follow up and found that is not the problem. He said the

problem is that the Cook County Board passed an ordinance about nine months ago that will lower the assessed value of multi-family buildings of more than seven units from 33% to 26%. This will be done in two phases. Evanston has more than 12,000 units (rental). That will be like a re-assessment for three out of four years for Evanston. He has spoken with Larry Suffredin and stated that something has to be done about this change. He did not think the community could afford that kind of increase in taxes.

Alderman Newman reported on meetings with Northwestern University. He said there was stark contrast with one section of student affairs, which was sincere about helping the City and another. Another professor was there who stated the University needs to build multi-level parking, not surface parking, on the east side of Sheridan Road. He agreed that multi-level parking was needed and classrooms could be put on top of the garage. The question was whether the will was there to solve this problem.

He noted the increase in the mean value of real estate in the 1st Ward from 1999-2002 went from \$585,000 to \$837,000 per house. In other wards there were substantial increases. He thought that meant the City is doing things right and attracting new homeowners. The ultimate value in judgment of a community is what people are willing to pay to live in it. Throughout Evanston the price of real estate has gone up, largely due to partnerships with the development community with top developers such as Buck, Stein, and Klutznick, who is coming. There is a weak economy but a boom in condominium housing development. He stated since 1997 the policies of this Council have contributed to getting the City there. He said unfortunately there are increased assessed values on homes so people have to pay more taxes. He appreciated the success and rationality of the Evanston City Council and was proud to be part of it.

2nd Ward. Alderman Jean-Baptiste wished all a happy Thanksgiving. While looking forward to the holiday and turkey, his entire family has become vegetarian.

He agreed with Alderman Newman that the City is doing great things. When they discussed plans for Chicago Avenue, he asked himself what needed to be done in the 2nd Ward. Does he need to get the Planning Division to come there? His focus was not beautification of the community, such as having the best streetlights and physical improvements; it was really about human beings. He was afraid if they don't pay attention to young adults, who have not had the benefit of support at home, attention to achieving success in school so they can be successful adults, that they will have a beautiful city but need to spend more money on police. They will have fear in the community with many citizens incarcerated and spend many resources on the back end. He wanted to refocus his effort to see if they can centralize the many resources that are here. They have spoken about training at the high school; opportunities that contractors offer to people to work at some building sites and have M/W/EBE enforcement. He was not sure whether they have paid attention to all resources and centralized them so they are productive in the best way possible. He did not think they had evaluated progress or lack of it if they want a city where all citizens move forward together. He asked all to keep their minds and ears open to this kind of dialogue.

There being no further business to come before Council, Mayor Morton asked for a motion to adjourn. The Council so moved at 11:12 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.