

CITY COUNCIL

January 14, 2008

ROLL CALL – PRESENT:

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

ABSENT:

Alderman Bernstein

PRESIDING:

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, January 14, 2008, at 9:08 p.m. in the Council Chamber.

CITY MANAGER ANNOUNCEMENTS:

City Manager Julia Carroll announced that refuse and recycling pick up would be one day later due to the Martin Luther King, Jr. holiday on Monday.

Ms. Carroll distributed the City's nine-month Revenue & Expense Report requested at the Saturday budget meeting.

Parks/Forestry & Recreation Director Doug Gaynor announced a service to observe Martin Luther King, Jr.'s birthday would be held Saturday, February 19, 11:00 a.m., at the Fleetwood-Jourdain Community Center.

Mr. Gaynor announced an art exhibit and reception for Black History Month at 5:00 p.m. on January 27 at the Noyes Cultural Arts Center.

He reminded all applicants for special events that the first page of the Special Event applications are due at the end of January and the entire application is due by the end of February.

Mr. Gaynor announced that bare Christmas trees left on the parkway will be collected the same day as refuse.

COMMUNICATIONS:

City Clerk Mary Morris announced that Early Voting had begun that day and would continue through Thursday, January 31, 2008. Registered voters may vote early Monday-Friday from 8:30 a.m. to 5:00 p.m. (including Monday, January 21, the official observance of Martin Luther King's birthday) and Saturdays January 19 and 26, from 9:00 a.m. to noon, at the Civic Center in Room 2403. An Illinois driver's license, Illinois ID or passport is required.

CITIZEN COMMENT:

Ken Bailey, 1602 Central St., stated he was a tad too strident when he spoke at the P&D Committee meeting; looked forward to working on the Central Street Plan Implementation; reported that \$95,687 is the tax revenue the property at 1620 Central generates annually. He supports the Central Street Neighbors Association and applauded efforts of City Council, planning staff and all involved. The only issue was to narrowly focus on an objection neighbors have and to present a proposal that would not only eliminate the objection of people who did not have the opportunity to present but would, hopefully, quell objections and maintain the integrity of the Central Street Plan. He supports the plan with the exception of the narrow issue he discussed earlier. Some speakers at the P&D Committee probably were not in order to speak about a specific use for property that is offered for sale and to have that included in the plan is another issue. Neighbors were unable to address the issue at 1620 Central.

Betty Ester, 2114 Darrow Ave., spoke about amendments to the West Evanston TIF district #6. The community wants to have a policy added that all new businesses maintain 10-25% employees who live in Evanston. That is where West side residents will shop.

Jeff Smith, 2727 Harrison St., president of the Central Street Neighbors Association, noted after a year of hard work they are close to finalizing the Central Street Master Plan. The Plan Commission voted unanimously in December to recommend changes and has forwarded zoning changes to the P&D Committee. He thanked Zoning Administrator Bill Dunkley; Plan Commission members, who put in long hours; and Central Street Neighbors Association members, who spent many hours on this plan. While the plan does not include everything they wanted, it reflects some compromises and his organization endorses this version as the best thing they could achieve with the moratorium on new construction, which expires in three weeks. It represents a plan that has significant change and an unprecedented amount of citizen input. The recommended draft puts changes in the Central Street corridor that put stricter limits on height, mass and appearance of new construction. It discourages speculative overbuilding while allowing a significant amount of re-development. Some additional uses will not be permitted in new construction. The common thread in most changes is to preserve the vibrant and thriving commercial street that has a healthy business environment, enhances the quality of life on a human scale and encourages Evanston residents to walk and shop here rather than going to malls. It generates revenue for the City from sales taxes instead of bulldozing what exists to build more condominiums. As they go forward they would like to see more emphasis on green buildings and techniques, and ways to incorporate affordable housing. Adopting this won't rule out further changes but, will put some needed brakes on the threat of overbuilding along Central St. and Green Bay Rd. and provide residents, businesses and property owners with some certainty as to what can and cannot be built. They look forward to concluding the process and moving on to other critical issues facing the City.

Richard Wright, 2603 Hartzell St., expressed appreciation for the hard work of Bill Dunkley and staff on the Central Street Plan; thought Mr. Dunkley had come up with some creative ideas. He wanted to clarify the issue that Ken Bailey spoke about and that was the dormitory use that came in at the 11th hour. They pushed hard for a performance venue, commercial recreation or cultural facility. They have lost the theaters and café there. They wanted those included to have some activities in that area.

Paula Ketcham, 1524 Grove St., urged City Council to include in the 2008-09 budget adequate funding to support an appropriately staffed Free Youth Drop-in Program at the Mason Park field house. Council members received a copy of the proposal in November 2007. A diverse group of neighbors began meeting last summer along with Alderman Jean-Baptiste because they experienced significant problems with middle school aged children in the neighborhood. There were problems in Penny Park, on sidewalks and streets in their neighborhood with youth engaging in vandalism, robberies and disturbing criminal activity. Police were there constantly. Neighbors asked why they had to have police at Penny Park during park hours. They found there were few alternatives for middle school aged children during the summer. Police would break up disturbances but had no place to send the youth. They talked with long-time residents who recalled summer drop-in programs and camp activities at Mason Park. As they looked at the newly revamped Mason Park field house, they propose that it be used to benefit youth who lack alternatives. Key aspects are that hours of operation be available to youth when needed, in summer, after school, weekends, and holidays; that there be two full-time staff trained to deal with kids plus support staff from social service agencies; modify the space to make it more warm and inviting; and bring in equipment and furniture in collaboration with private organizations. The current status is that the Mason Park field house funding is not included in the budget. Their organization asks City Council to include appropriate funding for the Mason Park field house in the budget.

Chris Hersee, 1509 Florence Ave., lives near Penny and Mason Parks and thanked City Council for their efforts. He has been active with the Housing Coalition since 1990 and proud of what has been accomplished. He urged Council to fund Mason Park free programs for their neighborhood, calling it a wise investment. On May 31, his home was broken into and about \$10,000 worth of computer equipment and jewelry was stolen. Eleven days later his home was broken into again before a burglar alarm could be installed. Police apprehended two 13-year olds and a 16-year old. He thought it better to have 13-year olds at a park program rather than burglarizing homes. He stated his neighborhood's willingness to commit to a quality volunteer program of neighborhood residents.

Dave Ellis, 1319 Grant St., president, Foreign Fire Tax Board, which was created by state legislation that uses revenues

from insurance companies outside the State of Illinois to benefit the Evanston Fire Department and to help improve life and safety services. He outlined various purchases made with these funds. He was there due to the pension funding crises; stated that the fire and police pensions must be funded -- a state law. Their board recognizes the significance of this problem and chose to lead by example, as they have in the past. The board supports the city manager's proposal that outside sources of revenue be looked at. Northwestern University and other non-profit entities have been afforded police and fire protection for the past 140 years and have not paid for it and are not being asked to pay. However, they should make contributions to the police and fire pension funds for police officers and firefighters who have served them throughout their careers. Not only is this the right thing to do morally and ethically, but how the City provides future services to the entire community is at stake. Contributions should be done voluntarily. The board also supports the Real Estate Transfer Tax Referendum on the February 5th ballot as part of the solution. If there are other ideas from the community about pension funding, from people with financial backgrounds, they are encouraged to step forward. He recalled in 1994, then City Manager Eric Anderson instituted a 0.50% sales tax increase that was supposed to be dedicated to the pension fund deficits. Mr. Anderson recognized the deficit problem then and Mr. Ellis asked if any has been put in the pension funds since its adoption. At the last board meeting, members voted to donate \$50,000 to the Fire Pension Fund. They hope this will be a catalyst for discussion and action and to come up with solutions in a timely manner. The check was presented to Patrick Dillon and Ron Brumback, members of the Fire Pension Board.

Mr. Dillon thanked Dave Ellis and the Foreign Fire Tax Board for this act and accepted it with humility.

Mayor Morton was not aware of sales tax funds that were to be set aside for pension funding. Alderman Rainey asked the City Clerk to look back in the records about the sales tax intended for pension deficits.

Rosanna Pulido, Skokie, field representative for the American Federation for Immigration Reform (FAIR), Washington, D.C., addressed the resolution calling for just and humane treatment for immigrants and their families. She noted the inscription on the Statue of Liberty is not United States immigration policy. Numerous religious denominations have issued statements calling for justice for immigrants. She noted the U.S. government has written a U.S. code to handle the problems of illegal immigration. The resolution says the U.S. policy currently separates parents from their children for deportation. She asked Council to consider the 20,000 Americans who have been killed by illegal aliens since 9/11. Has Council considered that those killed have been separated from their families forever? That figure is from Congressman Steve King of Iowa. She called the resolution an intimidation of officers and Evanston employees to do their jobs and the right thing. The resolution says that officers have to accept the Matricula Consular as a valid form of ID. She stated in 2003, the FBI testified before Congress that the Matricula Consular poses a major criminal threat to our national security. A 2007 study by FAIR found that Illinois taxpayers paid \$3.5 billion for benefits for illegal immigrants. This resolution is in direct violation of federal law. Starting in January, Michigan, Indiana, Missouri, Kansas, Tennessee and Nevada are enacting legislation to help curb illegal immigration. If the states surrounding Illinois are enacting this legislation, where are illegal aliens going to find sanctuary?

Wendell Thomas, 547 Judson Ave., addressed illegal immigration from a different perspective. He was concerned that we are a species that is systematically destroying native habitat. In 1930 there were 2 billion people on earth, now we have 6.7 billion. We have problems with global warming. When we make our local environment open to people from an area that cannot support itself, we increase population, which is not a good thing and destructive. It is not good to overlook the federal law. He urged people to abide by what we have said what we will do, i.e., fund police and fire pensions.

Dawn Mueller, Oak Park, can be contacted at 708-358-8586. She came to address the proposed resolution calling for just and humane treatment for immigrants and their families; is assisting persons across Illinois who are concerned about the impact of illegal immigration on their communities. She networks with people who have similar concerns; people who might be isolated or under pressure from employers or others. She is concerned about rising levels of violence and property damage that occur as the migration has headed toward the sanctuary of Cook County. Once the news gets out that a very wealthy city is a sanctuary, that will be a huge magnet for persons south of the border who enter the country illegally. Many are good people who are trying to feed their families. She was born in Elgin, which has a significant problem with illegal immigration; she had family in Carpentersville who were pushed out because of activity there. In Marengo where she grew up, she worked with migrants tasseling corn. An 83-year old woman was murdered by an illegal alien in 2006 in Marengo. He stole her car and fled. Officers pursued and he attempted to attack the officer who

shot him. The officer was protecting his community. Citizens across the state have determined that they must hold communities responsible that create magnets that attract illegal aliens. She asked that the process be opened up to all sides of the issue because of the immense impact across the state. Any person with concerns can contact her and she will hook that person up with persons inside Evanston and, outside as well, because they are building a broad coalition to address this issue.

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: request for Planned Development Extension – Ordinance 7-O-07; Ordinance 4-O-08 Special Use Request for a Convenience Store at 510 Main Street; Resolution 7-R-08 – Lakefront Master Plan; and Ordinance 109-O-07 – 93-Day Extension of the Downtown Moratorium. Seconded by Alderman Rainey.

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

ITEMS APPROVED ON CONSENT AGENDA

MINUTES:

* Approval of Minutes of the Special City Council Meeting of November 19, 2007 and the Regular City Council Meeting of December 10, 2007. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

ADMINISTRATION & PUBLIC WORKS:

* Approval, as recommended, City of Evanston payroll for the periods ending December 13 and 27, 2007 and January 10, 2008 and City of Evanston bills through January 15, 2008, authorized and charged to the proper accounts:

City of Evanston payroll (through 12/13/07)	\$2,559,301.40
City of Evanston payroll (through 12/27/07)	\$2,374,465.75
City of Evanston payroll (through 01/10/08)	\$2,328,963.42
City of Evanston bills (through 01/15/08)	\$5,272,299.33

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

* Recommend the City Manager enter into an agreement with Citation Management, a division of Professional Account Management, LLC, a Duncan Solutions Company (633 W. Wisconsin Ave., Milwaukee) for parking ticket management and payment processing functions (RFP #07-30) in the amount of \$188,212 per year for three years totaling \$564,636. Funded by General Fund parking ticket revenue. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of the proposal from Gewalt Hamilton Associates, Inc. (850 Forest Edge Dr., Vernon Hills) (RFP #06-44) to provide construction engineering services for the 2008 MFT Street Improvement Program for a not-to-exceed amount of \$143,600. Funded by the Capital Improvement Plan MFT Fund. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Recommend approval of the Ridge Avenue Roadway and Sewer Improvement Project – Phase III construction engineering services contract with CivilTech Engineering, Inc. (450 E Devon Ave., Itasca, IL) for the not-to-exceed amount of \$637,967. Funding provided by the Capital Improvement Plan Street Resurfacing Program. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Recommend approval of the lowest responsive and responsible bid (#08-59) for two garbage trucks from Cumberland Service Center (2375 E. Oakton, Arlington Heights) for a total cost of \$381,340. Funded by the 2007-08 Fleet Fund Capital Outlay, Automotive Equipment. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Recommend approval of the emergency purchase of supplemental security staffing from Metro Security Forces, Inc.

(6546 W. Higgins, Chicago) for the large hill in James Park on “snow days” in the not-to-exceed amount of \$15,000, for a total contract of \$27,900. Funded by Parks/Forestry & Recreation Department; \$6,000 from Noyes Cultural Arts Center and \$9,000 from Fleetwood-Jourdain Center. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Resolution 2-R-08 – Sub-grant Agreement between Cook County and Illinois Emergency Management Agency – Consideration of Resolution 2-R-08, which authorizes a sub-grant agreement between Cook County and the Illinois Emergency Management Agency to receive and administer funds from the Department of Homeland Security/Office of Domestic Preparedness for use by First Responders. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 3-R-08 – 2008 Motor Fuel Tax Street Resurfacing Program – Consideration of Resolution 2-R-08, by which City Council would appropriate \$1.6 million of Motor Fuel Tax (MFT) funds for the street resurfacing program. Funded by the MFT and Capital Improvement Plan (CIP) street resurfacing program. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 1-O-08 – Increase in Number of Class D Liquor Licenses – Consideration of Ordinance 1-O-08, whereby Title 3, Section 3-5-6(D) of the City Code would be amended to increase the number of Class D liquor licenses from 24 to 25 due to the opening of S.F.W.H., Inc. doing business as Wingstop (2434 Main St.). * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 2-O-08 – Amends the City Code – Title 7, Chapter 12, “City Waterworks System – Consideration of Ordinance 2-O-08, which amends the City Code Title 7, Chapter 12 “City Waterworks System” to ensure a more cohesive document, establish consistent standards and set fair and equitable charges for services. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 10-O-08 – Four-Way Stop at Michigan Ave. and Kedzie Street – Consideration of Ordinance 10-O-08, which amends Section 10-11-5, Schedule V(D) of the City Code to establish a four-way stop at Michigan Ave. and Kedzie St. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 105-O-07 – Regulates the Use of Fire Pits – Consideration of Ordinance 106-O-07, introduced December 10, 2007, whereby the City of Evanston will regulate fire pit use mainly in residential settings to minimize any fire hazards and/or negative impacts on the neighborhoods.

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

PLANNING & DEVELOPMENT

* Ordinance 5-O-08 – Central Street Implementation – Text Amendment – Consideration of a Plan Commission recommendation for approval of text amendments for the Central Street Master Plan.

* MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 6-O-08 – Central Street Implementation – Map Amendment – Consideration of a Plan Commission recommendation for approval of map amendments for the Central Street Master Plan.

* MARKED INTRODUCED – CONSENT AGENDA

* Resolution 6-R-08 — Consideration of proposed Resolution 6-R-08, which authorizes the City Manager to execute a Consent and Estoppel with the Church and Chicago Limited Partnership, JBC Evanston Limited Partnership, Washington National Insurance Company and John Buck Company.

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

OTHER COMMITTEES:

* Resolution 4-R-08 – Reallocation of Unspent CDBG Funds – Consideration of proposed Resolution 4-R-08, whereby the CDBG Committee recommends amending the 1998, 2002, 2003, 2004, 2006 and 2007 Community Development Block Grant Programs and authorize the reallocation of \$51,704.37 in

unexpended funds. * APPROVED - CONSENT AGENDA MOTION * ROLL CALL (8-0)

* Resolution 5-R-08 – Approve the City’s Proposed One-Year Action Plan for FY 2008-09 and Adopt the City’s FY 2008-09 CDBG, HOME and ESG Program Budgets – Consideration of proposed Resolution 5-R-08, whereby the CDBG Committee recommended approval of the City’s One-Year Action Plan for 2008-09 and adoption of the City’s 2008-09 Community Development Block Grant (CDBG), HOME Investment Partnerships and Emergency Shelter Grants (ESG) program budgets.

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

* Ordinance 7-O-08 – Amendment No. 1 – Tax Increment Redevelopment Plan/Project for the West Evanston TIF District #6 Redevelopment Area – Consideration of Ordinance 7-O-08, whereby the Economic Development Committee and Joint Review Board recommended adoption of the expansion of the West Evanston Tax Increment Financing District. Adoption of Ordinance 7-O-08 will adopt the amended Eligibility Study and the amended Plan and Project. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 8-O-08 – Re-designating the West Evanston TIF District #6 Redevelopment Area Pursuant to the Tax Increment Allocation Redevelopment Act – Consideration of Ordinance 8-O-08, whereby the Economic Development Committee and Joint Review Board recommended amendment of the Redevelopment Project Area of the West Evanston TIF. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 9-O-08 – Confirm Tax Increment Allocation Financing for West Evanston TIF District #6 Redevelopment Area - Consideration of Ordinance 9-O-08, whereby the Economic Development Committee and Joint Review Board recommended adoption of the TIF as a financing mechanism for the expanded West Evanston TIF District. * MARKED INTRODUCED – CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES

PLANNING & DEVELOPMENT

Request for Planned Development Extension – Ordinance 7-O-07, 1700-1722 Central St. – Consideration of a request from Eastwood of Evanston LLC, owner and developer of the subject property, for a 13-month extension of Ordinance 7-O-07, for the construction of a mixed-use development at 1700-1722 Central St. The extension would allow until April 5, 2009 to obtain building permits and April 5, 2010 for project completion.

Alderman Hansen moved that this item be approved with the following conditions: 1. If construction has not begun by May 1, 2008, the construction fence around the perimeter of the property must be removed by May 15, 2008. The construction fence will be replaced when a building permit is obtained and no work may commence until the fence has been installed and approved by the City. 2. The lot will be graded and seeded by May 15, 2008. 3. The lot will be checked and cleaned on a weekly basis for litter, fly dumping, etc. 4. The grass on the lot will be mowed weekly. 5. Parking of vehicles and equipment on the lot during this period is prohibited. 7. In the event that the developer may need an extension of these conditions up to 30-days beyond May 15 that it is subject to the discretion of the Community Development Director. Alderman Tisdahl added a sixth condition – that the snow is shoveled on the property is a requirement. Alderman Hansen accepted the amendment. Seconded by Alderman Rainey.

In response to Alderman Jean-Baptiste, Alderman Hansen stated that if these conditions were not complied with, this could be brought back to the committee or Council and the extension revoked.

Alderman Hansen moved approval of a 13-month extension, with amendments, for the mixed-use development at 1700-1722 Central Street. The motion was seconded.

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

Ordinance 4-O-08 – Special Use Request for Convenience Store - 510 Main St. – Consideration of the Zoning Board of Appeals recommendation to approve a special use for a convenience store at 510 Main St. (Main Street Pantry).

Alderman Hansen moved that Ordinance 4-O-08 be marked introduced.

Alderman Wynne moved to Suspend the Rules in order to adopt an ordinance at the same meeting at which it was introduced. Seconded by Alderman Moran. Motion carried. No nays.

Alderman Wynne moved approval of Ordinance 4-O-08. Seconded by Alderman Hansen.

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

Resolution 7-R-08 – Lakefront Master Plan – Consideration of the Playground and Recreation Board’s recommendation for City Council approval of the Lakefront Master Plan.

Alderman Hansen reported due to a lack of time, the committee was only able to go through the consultant’s presentation.

A Special P&D Committee meeting is set for Tuesday January 22 at 7:00 p.m. in the Council Chamber to discuss the Lakefront Master Plan.

Ordinance 109-O-07 – 93-Day Extension of the Downtown Moratorium – Consideration of a 93-day extension of the moratorium on the issue of building permits for construction in downtown, introduced December 10, 2007, established by Ordinance 57-O-07, which was adopted by City Council on June 11, 2007 and extended by Ordinance 103-O-07, which was adopted by City Council on November 26, 2007. The moratorium will expire December 11, 2007 and this ordinance will provide an extension of it to March 18, 2008.

Alderman Hansen moved to amend Ordinance 109-O-07 to restate the moratorium to March 15, 2008. Seconded by Alderman Wynne.

Alderman Rainey understood this was going to be removed. Alderman Rainey moved to hold Ordinance 109-O-07 over. Seconded by Alderman Jean-Baptiste. At the request of two aldermen this item will be held over.

There was no Executive Session held.

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 10:14 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.