

**CITY COUNCIL**

January 28, 2008

**ROLL CALL – PRESENT:**

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

**ABSENT:** None

**PRESIDING:** Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, January 28, 2008, at 9:10 p.m. in the Council Chamber.

**MAYOR PUBLIC ANNOUNCEMENTS:**

Mayor Morton announced that the U.S. Conference of Mayors, Novelis Inc. and Keep America Beautiful, Inc. had selected the City of Evanston for a \$5,000 award to help enhance its recycling programs, and Keep Evanston Beautiful (KEB), Inc. will earn \$2,500, for participation in the 2007 Cans for Cash National Challenge. Mayor Morton praised the efforts of Streets & Sanitation Superintendent Suzette Eggleston for collection of 40,000 lbs of cans.

**CITY MANAGER ANNOUNCEMENTS:**

Parks & Forestry Superintendent Paul D'Agostino reported that the Emerald Ash Borer has spread to the 73 remaining Ash trees at Lovelace Park. There are 55 public parkway Ash trees, 17 on private property and 21 on public property that are hazardous, after surveying 90% of the area between Green Bay Rd. east to the city limits and north to Isabella. Staff surveyed this area because that is where the first infestation was discovered in 2006. Nothing was found south of Harrison St. All residents with affected trees, whether on public or private property, will be notified this week about state requirements for tree removal. Staff will also send out postcards to residents surrounding Lovelace Park regarding tree removals. Counting the trees lost last year, the City has lost 100 ash trees at one location. Tree removals will be completed in the next four to six weeks. He is working on a tree replacement plan at Lovelace Park. In response to Mayor Morton, Mr. D'Agostino reported that it is easier to spot evidence of an Emerald Ash Borer infestation in the winter.

Parks/Forestry & Recreation Director Doug Gaynor stated that the Illinois Parks & Recreation Association and the Illinois Association of Parks Districts awarded Community Service awards to three Evanston residents.

Mayor Morton presented a plaque to David Cherry, Cherry Family Foundation. The Foundation was one of the first to contribute to and continues to support the Evanston Ethnic Arts Festival, and the special recreation program for children with needs and others in the community.

Mayor Morton presented a plaque to David Hodgeman, who served two terms on the Playground & Recreation Board from 1966 to 2006 in leadership roles including president. He is a founder of the Evanston Parks Foundation and current chairman. The foundation supports parks and recreation programs. Mr. Hodgeman has advocated for more recreation options for middle school and high school youth.

The Cutter Family, represented by Julie Cutter, accepted an award for Noah's Playground from Mayor Morton. This handicapped accessible playground is in Lawson Park at Lighthouse Landing. Julie and David Cutter memorialized their son, who passed away in 2005 at age 2½, by raising \$400,000 and continue to raise funds for park maintenance and construction of ADA accessible restrooms. The playground will open this spring.

**COMMUNICATIONS:**

City Clerk Mary Morris reported that 1,360 people had voted early at the Civic Center through that day. Three more early voting days are left from 8:30 a.m. to 5:00 p.m., second floor, Civic Center. In-Person Absentee voting will take place at 5600 Old Orchard Road at the Cook County Clerk's office or 69 West Washington, Chicago, Friday and Monday 8:30 a.m. to 5:00 p.m., and Saturday and Sunday 9:00 a.m. to 12:00 noon. People who vote absentee by mail were reminded to get their ballots post marked by February 4 so they will count.

**CITIZEN COMMENT:**

Ken Bailey, 1602 Central St., thanked members of the P&D Committee for listening to neighbors' narrowly focused text amendment to the Central Street Plan. The good news for neighbors that he represents, is a coalition has been formed among those neighbors and got started only three weeks ago to participate in any special use hearings should they occur. He agreed with some on the committee that the issue they were talking about is process, not an individual transaction. He stressed the fact the last opportunity for citizens to deliver comment regarding the Central Street Plan implementation occurred on November 14, 2007 at the P&D Committee meeting. Neighbors organized an objection to this small part beginning January 8, 2008. They understood that anyone has the opportunity to apply for a text amendment regarding zoning. He read from the application: "The amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person but only to make adjustments necessary in light of changed conditions or changes in public policy." That is reference 6-3-4-1.

Junad Rizki, 2767 Ridge Ave., spoke about Resolution 8-R-08, Metropolitan Mayor's Caucus Mayors Greenest Region Compact, a document cities are signing for being "green." He read from the document: "Implement a municipal tree planting ordinance to establish and maintain maximum tree cover." Those who supported reducing the Elm tree injections three years ago should not sign this document and those who vote during the budget hearings to eliminate the remaining injections shouldn't sign as well. Mr. Gaynor's statement at the budget hearing that the cost is the same to cut down an Elm tree as to inject it is not in touch with the reality of global warming and does not merit discussion. Some numbers stated at the budget hearing are in conflict with what was stated in *Highlights* about the success of the Elm tree injection program. It appeared the numbers were higher at the budget hearing. The *Highlights* article claimed the City lost 31 trees when they were injected, not more than 100 trees. Mr. Gaynor stated a 92% rate of success, when it is probably close to 98%. With the news of the Ash trees, Evanston is losing trees at an alarming rate. Losing large trees when they can be saved is a problem. Forestry does not tell citizens that the time they spend cutting down trees they aren't doing other work. There are 25,000 trees here. He urged Council to think about the Elm trees.

Mark Metz, 2125 Sherman Ave., chair, Playground & Recreation Board, noted Council would be voting on the Lakefront Master Plan, which governs more than 20 years of redevelopment of Evanston's lakefront parks. He stated the process was exhaustive. Staff worked with consultants and came up with a number of alternatives. There were 12 public meetings starting with the visioning process, meetings to present and narrow the ideas, gather input, and a final draft presentation. He believed that they have arrived at a good consensus plan. The board voted unanimously for the plan. Elected officials and volunteers have only one chance to get it right with the crown jewel of Evanston parks, the lakefront.

Jeff Smith, 2724 Harrison St., spoke on behalf of the Central Street Neighbors Association, noting that with approval of the map and text amendments they will codify the planning for Central Street that began several years ago. He transferred 482 emails from his "in" box to one folder (all from one person), a fraction of the communication that has gone on. Mr. Bailey's group's concerns about transparency and timing are important and he hoped that the P&D Committee would take the substantive concerns seriously when the special use application is made. Neighbors and residents have their own interests at stake and also have the greatest amount of micro knowledge for such things as traffic and noise, and are a talent to draw upon. They are happy that this process has been largely cooperative and collaborative. The product is a good one. He thought the City had taken baby steps toward form-based code. They have added provisions for bike ratios to cars, future economic development and attention to ground floor retail and how storefronts are perceived by neighbors and others who see Central Street as a destination. He thanked Zoning Administrator Bill Dunkley, Arlova Jackson, Tracy Norfleet, and unnamed legal staff who put together the actual language. Plan Commission members put in extraordinary amounts of time reading stacks of transcripts. Council has listened to numerous presentations from consultants and Mr. Dunkley. He thanked the hundreds of members and non-members of the Central Street Neighbors

Association who participated in this effort. He found the process of residents pooling their talents uplifting, invigorating and shows that citizens can make a difference.

Susan Newman, 1906C Lincoln St., has lived in different places in the U.S. and found Central Street to be one of the finest areas. She spoke as the Honorary Chair of Save the North Branch Library. She and others believe the library is critical to keeping a sense of community. She urged it be kept open for children who attend summer reading programs, young families and children who come for story hour, a place where the community can keep abreast of news, and that families with strollers and senior citizens can use. When she heard about potential closure of the north branch last year, she distributed petitions to five stores on Central Street and got 150 signatures against closing it and will petition again if need be. She read from a Library Board document: "The Evanston Public Library is a network of three agencies sharing one collection and serving the entire community from its three separate locations. The main library serves as the network's principal public access unit, as a reference and resource for the entire network and as the network's administrative center. The library's two branches are located in or near busy retail districts. They are intended to serve as a gateway to the library's collection and services outside of the central business district. The branches provide convenient access to library materials for children of elementary school age and to popular adult reading materials. Through the library's electronic network and transportation system, the branches can also provide access to the library's other services. Evanston has a long history of using branches to provide library service in neighborhood shopping districts. The board intends the branches to be comfortable, convenient, accessible library outlets and an important means of fulfilling the library's mission." She understood the City owns the building next to the library, planned to sell it and use the proceeds to fix up the branch libraries. Is that going to happen?

Fred Hunter, 1557 Florence Ave., spoke as a middle school principle stating that the North Branch library has been a great resource for students at Haven School and during summer school. He was there to support the Mason Park Association, which wanted to open the Mason Park field house. Their neighborhood tried to address an existing situation and was thankful for the support they have received from Alderman Jean-Baptiste, Evanston Recreation and Police Departments. They want to open the Mason Park Field house to give middle school students a place to call their own in the summer. Unfortunately, students in the middle schools are too young to participate in youth jobs program and too old to participate in the camps. Often they have no place to go. There have been complaints of youth not doing what adults want them to do as citizens. The main library realized high school students needed a place to go and made that available. Neighbors hope that this field house can be opened to benefit the community.

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

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: request for \$300,000 in HOME Funds – grant for three affordable condo units at 241 Callan Ave.; Ordinance 16-O-08 – Extend the Moratorium on the issuance of building permits for new construction on Central St. from Ashland to 2200 Central; Ordinance 17-O-08 – Extend the Moratorium on the issuance of building permits for new construction on Green Bay Rd. from Isabella to Lincoln by 30 days to March 10, 2008; and Ordinance 109-O-07 – 93-Day Extension of the Downtown Moratorium. Seconded by Alderman Rainey.

Roll call. Voting aye – Jean-Baptiste, Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin. Voting nay – none. Motion carried. (9-0).

#### **ITEMS APPROVED ON CONSENT AGENDA**

#### **MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of January 14, 2008. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

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

\* Approval, as recommended, City of Evanston payroll for the period January 24, 2008 and City of Evanston bills through January 29, 2008, authorized and charged to the proper accounts:

|   |                |
|---|----------------|
| City of Evanston payroll (through 01/24/08) | \$2,433,198.45 |
| City of Evanston bills (through 01/29/08)   | \$3,159,810.94 |

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

\* Recommend approval for Evanston Township High School/District 202 to be selected as the subject artwork for the 2009 vehicle sticker as part of the district's 125<sup>th</sup> year celebration. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Resolution 8-R-08 Authorizing the Mayor to sign the Metropolitan Mayors Caucus Greenest Region Compact of Metropolitan Chicago - Consideration of resolution 8-R-08 authorizing the Mayor to sign the Metropolitan Mayors Caucus Region Compact of Metropolitan Chicago. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Ordinance 11-O-08 Increase in Number of Class C Liquor Licenses - Consideration of Ordinance 11-O-08, which amends Section 3-5-6 C of the City Code to increase the number of Class C liquor licenses from 24 to 25 due to the opening of P-County, Inc. doing business as Wild Geese, 1245 Chicago Ave. \* MARKED INTRODUCED – CONSENT AGENDA

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

Alderman Jean-Baptiste moved approval of Ordinance 11-O-08. Seconded by Alderman Wynne.

Roll call. Voting aye – Jean-Baptiste, Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin. Voting nay – none. Motion carried. (9-0).

\* Ordinance 1-O-08 Increase in Number of Class D Liquor Licenses - Consideration of Ordinance 1-O-08, introduced January 14, 2008, which amends Section 3-5-6 (D) of the City Code 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.). \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Ordinance 2-O-08 Amendment to the City Code Title 7, Chapter 12, “City Waterworks System” Consideration of Ordinance 2-O-08, introduced January 14, 2008, 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 or services. This amendment includes a comprehensive rewrite of this section of the code including standardizing language, providing a separate section for fees, raising existing fees and including new fees for some services. This item was introduced on January 14, 2008. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Ordinance 10-O-08 for Four-Way Stop at Michigan Avenue and Kedzie Street - Consideration of Ordinance 10-O-08, introduced January 14, 2008, which would amend Section 10-11-5, Schedule V (D) of the City Code to establish a four-way stop at Michigan Avenue and Kedzie Street. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

## PLANNING & DEVELOPMENT

\* Ordinance 5-O-08 – Central Street Implementation – Text Amendment – Consideration of Ordinance 5-O-08, introduced January 14, 2008, with the Plan Commission recommendation to approve text amendments for the Central Street Master Plan. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Ordinance 6-O-08 – Central Street Implementation – Map Amendment - Consideration of Ordinance 6-O-08, introduced January 14, 2008, with the Plan Commission recommendation to approve the map amendments for the Central Street Master Plan. \* ADOPTED – CONSENT AGENDA MOTION &

ROLL CALL (9-0)

\* Resolution 7-R-08 – Lakefront Master Plan - Consideration of the Playground & Recreation Board's recommendation to approve the Lakefront Corridor Master Plan. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

HUMAN SERVICES COMMITTEE

\* Proposal to Engage Virchow Krause to Review the Township Assessor's Office - Consideration of a proposal whereby the Township Trustees would engage the firm of Virchow Krause to conduct a review of the Township Assessor's office. The estimated project fee \$7,500 to \$9,000. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Proposal to Engage Virchow Krause to Conduct the Evanston Township Annual Audit - Consideration of a proposal whereby the Township Trustees would engage the firm of Virchow Krause to conduct a review of the annual audit of Evanston Township. The estimated fee for this engagement is \$18,500 for the audit and \$2,000 for the Risk Assessment Standard implementation. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

OTHER COMMITTEES:

\* Ordinance 7-O-08 – Amendment No. 1 to the Tax Increment Redevelopment Plan/Project for the West Evanston TIF District #6 Redevelopment Area – Consideration of Ordinance 7-O-08, introduced January 14, 2008, with approval recommended by the Economic Development Committee and Joint Review Board, 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. Ordinance 7-O-08 is the first of three required ordinances to achieve adoption. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Ordinance 8-O-08 - Redesignates the West Evanston TIF District #6 Redevelopment Area Pursuant to the Tax Increment Allocation Redevelopment Act - Consideration of Ordinance 8-O-08, introduced January 14, 2008, with approval recommended by the Economic Development Committee and Joint Review Board, amending the Redevelopment Project Area of the West Evanston TIF. This ordinance approves the expanded TIF. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Ordinance 9-O-08 – Confirm Tax Increment Allocation Financing for West Evanston TIF District #6 Redevelopment Area - Consideration of Ordinance 9-O-08, introduced January 14, 2008, 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. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

REPORT OF THE STANDING COMMITTEESPLANNING & DEVELOPMENT

Request for \$300,000 in HOME Funds – Grant for Three Affordable Condominium Ownership Units – 241 Callan Avenue - Consideration of the request from Econ Development Corporation for a \$300,000 HOME grant for three affordable ownership units in a five-unit condo conversion at 241 Callan Ave. The Housing Commission recommends funding of \$250,000.

Alderman Hansen reported that this item was held in committee.

Ordinance 16-O-08 - Extends the Moratorium on the Issuance of Building Permits for New Construction on Central Street from Ashland to 2200 Central - Consideration to extend the moratorium provided for by Ordinance 90-O-06 on the issuance of building permits for new construction on Central Street from Ashland to 2200 Central by 30 days to March 10, 2008. Removed from further

consideration.

Ordinance 17-O-08 - Extends the Moratorium on the Issuance of Building Permits for New Construction on Green Bay Road from Isabella to Lincoln - Consideration to extend the moratorium provided for by Ordinance 34-O-07 on the issuance of building permits for new construction on Green Bay Road from Isabella to Lincoln by 30 days to March 10, 2008. Removed from further consideration.

Ordinance 109-O-07 – 45-Day Extension of the Downtown Moratorium – Consideration of Ordinance 109-O-07, proposing a 45-day moratorium extension of a moratorium which expired on December 11, 2007. There is no longer a moratorium to extend. Council must undertake an action to either remove from the agenda or amend to reflect the changed circumstance. This item was introduced on December 10, 2007 and held on January 14, 2008 at the request of two aldermen.

At the January 14, 2008 meeting Alderman Hansen moved to amend the ordinance to reflect the moratorium be reinstated to March 13, 2008, which is not indicated on this agenda. The motion was seconded.

Alderman Hansen moved approval to extend the moratorium for 45 days until March 13, 2008 as amended by Ordinance 109-O-07. Seconded by Alderman Moran.

Roll call. Voting aye – Jean-Baptiste, Wynne, Moran, Tisdahl, Hansen, Wollin. Voting nay – Bernstein, Holmes, Rainey. Motion carried. (6-3).

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

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste urged people to vote February 5.

**3<sup>rd</sup> Ward.** Alderman Wynne also urged citizens to vote February 5.

**4<sup>th</sup> Ward.** Alderman Bernstein asked people to vote February 5.

**5<sup>th</sup> Ward.** Alderman Holmes asked residents to vote early.

**6<sup>th</sup> Ward.** Alderman Moran thanked all for voting for the Central Street Implementation Plan. For him it is a dream realized. He thanked the Central Street Neighbors Association for their hard work and passion for the Central Street corridor and staffers Bill Dunkley, Arlova Jackson, Tracy Norfleet and all who cared so much about Central Street. He thanked the Lakota Group, noting they presented many ideas and alternatives. He thought the Lakefront Master Planning process was intensive and passage of these two plans shows that Evanston is a “can do place.”

**7<sup>th</sup> Ward.** Alderman Tisdahl agreed with Alderman Moran’s comments and asked citizens to remember the referendum on the February 5 ballot.

**8<sup>th</sup> Ward.** Alderman Rainey reported that 15 people from the 8<sup>th</sup> Ward and other wards attended the Circuit Court preliminary hearing for Hosea Clark, a Chicago resident who has been robbing homes in Evanston. There is enough evidence to hold him for trial on February 13. She mentioned this not just to congratulate people in the 8<sup>th</sup> Ward, who know they have a lot of work to do, but because of comments in the *Daily Northwestern* where 8<sup>th</sup> Ward residents were belittled by students and parents for their silliness in going to court because Northwestern students are being raped and nobody is going to court for them. Eighth Ward residents will continue to fight for the safety of the ward and will be in court the next day regarding a woman whose home was invaded.

**9<sup>th</sup> Ward.** Alderman Hansen remarked that it was her last night to chair the P&D Committee; thanked citizens who came out for the Lakefront and Central Street plans for their patience and for abiding by the rules.

**1<sup>st</sup> Ward.** Alderman Wollin contacted the *Evanston Review* about an inaccuracy they published on the Lakefront Plan.

They included that there still was closure of Sheridan Road. She spent Saturday afternoon answering emails and the phone about this. This unnecessarily upset residents and is not part of the plan that was approved that evening.

At 10:12 p.m. Alderman Bernstein moved that Council convene into an Executive Session to discuss matters related to personnel pursuant to 5 Illinois Compiled Statutes 120/2 ( c ) (1) as follows:

2. All meetings of public bodies shall be public meetings except for the following:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

Seconded by Alderman Rainey.

Roll call. Voting aye – Jean-Baptiste, Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin. Voting nay – none. Motion carried. (9-0).

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 11:38 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.