

CITY COUNCIL

February 11, 2008

ROLL CALL – PRESENT:

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

ABSENT:

Alderman Moran

PRESIDING:

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, February 11, 2008, at 8:55 p.m. in the Council Chamber.

CITY MANAGER ANNOUNCEMENTS:

Public Works Director David Jennings presented plaques from the U.S. Conference of Mayors, Novelis Inc. and Keep America Beautiful, Inc. to Dick Peach, president of Keep Evanston Beautiful (KEB), Inc., and to Suzette Eggleston, Streets & Sanitation Superintendent, for participation in the 2007 Cans for Cash National Challenge. KEB and the City of Evanston were awarded \$2,500 and \$5,000 respectively to help with recycling programs.

COMMUNICATIONS: None

CITIZEN COMMENT:

Betty Ester, 2114 Darrow Ave., spoke about proposed increases to service fees. She asked how much the vehicle sticker increase impacts the budget and what does it cost to produce the sticker. The proposed residential parking sticker will go to \$90. Residents were told this fee would not go up. With the yard waste sticker does that mean they don't have to pay for the bags at the hardware store? When information is asked for and not readily available, the aldermen get a memo. The public doesn't see that. Not everybody is Internet savvy and the public needs to have information available to look at. She urged them to make it easy for the public to access to the budget and budget memos.

Mike Vasilko, 2728 Reese Ave., complained about tax increases and more coming from Cook County. Enough is enough. He has lived here almost 20 years and residents already pay some of the highest taxes in the state.

Aaron Sanderson, 1813 Greenwood St., five-year resident, noted for four years police were called once. Last year they got a new landlord, poor tenants and in February there was gunfire in the front yard. It was a quiet neighborhood with young children. Police were called in the middle of the night and arrived with drawn guns. One person walked away from the scene, presumably to hide the weapon. There was no search and no one was arrested. Since then he learned that somebody was shot at another location. It was trespassing and disturbing the peace, but nothing came of it. The nonsense has continued. One neighbor with small children sold their house and quit parking in the backyard due to the drug dealing that was going on. Other neighbors don't let their children play outdoors. The police downplay this. When they have community meetings and talk about socio-economic problems, if they talk about not wanting a crack house in their neighborhood they are made out to be bigoted. They had some resolution to this situation. There was a felony arrest of a person at this address, but due to loopholes they could not get it listed as a nuisance address. There was a traffic accident at 11:00 p.m. with a 9-year old girl at the wheel of a car. He knows that the 300 block of Custer has dealt with similar problems. He failed to see how open air drug dealing could operate for such a long time. They have a problem with break-ins now and there is no question that drugs fuel that. Everyone counsels patience, but how long can a neighborhood wait and suffer before something more severe happens? He related that the Mayor of Country Club Hills called police when he saw some suspicious activity at a restaurant. The police pulled over the car and found weapons, money and drugs. None of his neighbors call about suspicious activities.

Mayor Morton advised him to speak with Chief Eddington. Alderman Jean-Baptiste said police have been responsive to that neighborhood. They evicted the tenant that was charged with a felony. There has been community organizing to adopt a watch group and some process engaged in. It is not finished and he would be happy to meet with Mr. Sanderson.

Louis Silverstein, 1211 Leonard Pl., said in the Chinese language there is a word that symbolizes crisis and challenge. He recently returned from San Diego, where gated communities have increased. Gated communities are just one sign of the two Americas – characterized as a retreat from the common good. Cut services or raise taxes is the mantra and challenge resounding in the City Council and among Evanston residents. He has heard this for 20 years. Cut youth employment services when they know the most dangerous person on the planet is a young man without a job. Most people who engage in the drug trade don't make large amounts of money. They don't have a way to find gainful employment. To cut youth employment services is a guarantee for increased crime and the need for more police and prison cells. Cut mental health services and know there will be an increase in family abuse. Currently the country is in a recession and jobs are being lost, which affects emotional health. Anytime there is a recession, family abuse escalates. Cut libraries when the culture of books is undermined already on so many fronts and many young men and women don't have a good relationship with books. Cut out books and you can guarantee school failure. Cut out our responsibilities to the elders in our community, which are called "elm trees." The trees are models for all of us. Is there an alternative to this yearly dilemma? For the future he hoped for, he suggested raising property taxes on a graduated basis. The tax rate increases would be based upon the home value. If this is not possible, then levy a special assessment above a certain level on all homeowners. For example, \$500,000, which would apply to him, or whatever amount that would not impact those less well off. This is known as paying one's fair share and such a policy would ensure that Evanston remains a diverse, socio-economically integrated community. A diverse oasis of giving your privileged, but also an oasis of giving to the tired, poor and huddled masses yearning to be free. Giving a fair share is reasonable and just. He urged remembering the Reagan and Bush tax cuts that benefited largely those in the highest income brackets that resulted in those paying significantly less to fund government programs that serve the general welfare, thus decreasing their burden and increasing it for those less well off. In thinking about fair share, it is well past the time to demand that Northwestern University, a wildcat invited or coerced into the civilized community, to assume its ethical and moral responsibility to the Evanston community and share its outrageously accumulated wealth for the common good to compensate for its permanent abstention from paying property taxes, which has had a deleterious affect on City finances. Northwestern's current endowment is worth \$6.5 billion, having grown 26.5 % from 2006 at \$5.1 billion with a 13.7% return in 2007. Surely it can afford to increase its contribution to Evanston above and beyond the paltry crumbs it doles out. Shame on Northwestern for showing its students how *not* to be an ethical and responsible member of the community. Lastly, to discuss the City's crisis and financial challenge without consideration to what happens in the larger society, all must do what we can to end the war in Iraq, which costs \$500,000 a minute, \$720 million a day and billions each month and have Congress allocate funds for education, health care, mass transit and infrastructure repair and improvement. (Alderman Jean-Baptiste moved to allow Mr. Silverstein to speak longer. Seconded by Alderman Tisdahl.) He urged City Council to pass such a resolution. When they talk of waste, the war is the biggest pork of all. As Senator Obama has said, "it is time for change to do what is necessary, not to destroy the village, but to light candles and walk on a new path to community."

Dawn M. Mueller, 43 South Blvd., Oak Park, phone 708-358-8586, returned to give feedback from Evanston residents on the proposed sanctuary city resolution now before the Human Services Committee. Officially it is titled, Resolution Calling for Humane and Just Treatment for Immigrants and Their Families. People who contacted her were not aware such a resolution is being considered. She recommended it be publicized and a draft resolution be released. People were concerned about some of the rhetoric, particularly the paragraph "Whereas an increasingly hostile and anti-immigrant and racist atmosphere is being promoted by a vocal minority that represents neither American values nor the majority of our citizenry." She read a letter to the editor from the YWCA which expressed concerns about a need people without documentation who are abused being able to feel safe in going into a shelter. She is a domestic abuse survivor, has worked with women who encountered violence and sexual assault. She was severely battered and it took 18 years to extricate herself and child from this situation. She sleeps with a neck collar due to pain. Her concerns are not based on racial motives, but because when she tried to get into shelters she was told there was no more room. If they have a large influx of people from other countries to shelters, there is no room for our own people; those who have paid taxes. If we cannot take care of our own people, we are not living up to our obligation to citizens. She passed out a flyer that showed the documentation of a relative who came to this country. There are advocacy organizations pushing to give these people rights of citizenship. She encouraged people to contact her and she wanted to make a presentation at another time. Alderman Bernstein said the Human Services Committee would take up a resolution calling for justice and humane

treatment of immigrants Monday, February 18 at 7:00 p.m. The resolution is not for a sanctuary city. The paragraph (Ms. Mueller) read was eliminated from the resolution. Alderman Jean-Baptiste said the resolution before the committee and another has been proposed to replace it. There is discussion and that is the context of what should be done. The general call of these people is that these people are criminals. At the meeting, people with any perspective are invited to speak

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Bernstein moved Council approval of the Consent Agenda with these exceptions: Ordinance 34-O-08 – Prepared Food & Non-Alcoholic Beverage Tax; Ordinance 23-O-08 – General Business License for FY 2008-09; Ordinance 24-O-08 – Taxi Industry License for FY 2008-09; Ordinance 27-O-08 – Parking Meter Rate and Parking Fine Increases; Ordinance 28-O-08 – Yard Waste Sticker Program; Request for \$300,000 in HOME Funds – grant for three affordable condo units at 241 Callan Ave.; Ordinance 31-O-08 – Licensing of Rental Dwelling units and Ordinance 32-O-08 – Plan Commission Recommendation for a Map Amendment and Planned Development at 708 Church St. Seconded by Alderman Jean-Baptiste.

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

ITEMS APPROVED ON CONSENT AGENDA

MINUTES:

* Approval of Minutes of the Special City Council Meeting of January 12, and the Regular City Council Meeting of January 28, 2008. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

ADMINISTRATION & PUBLIC WORKS:

* Approval, as recommended, City of Evanston payroll for the period February 7, 2008 and City of Evanston bills through February 12, 2008, authorized and charged to the proper accounts:

City of Evanston payroll (through 02/07/08)	\$2,352,972.63
City of Evanston bills (through 02/12/08)	\$3,315,667.21

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

* Approval of the lowest responsive and responsible bid (Bid #08-76) for 2008-09 water treatment chemicals from Polydyne (Sealy, TX) in the amount of \$24,480; Rowell Chemical (Lisle, IL) in the amount of \$46,920; Alexander Chemical Corp. (Downers Grove, IL) in the amount of \$152,100; Carus (Belmont, NC) in the amount of \$77,056 and Usalco (Baltimore) in the amount of \$112,337.50. Funded by the Water Filtration account and the Water Fund.

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

* Change Order No. 5 to the contract with Jay Dee Contractors, Inc. (3881 Schoolcraft Rd., Livonia, MI) for the Basin S82B Contract 1Relief Sewer Project. This will decrease the contract price by \$288,537.45 and the total amount will go from \$10,394,839 to \$10,106,301.55. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 9-R-08 Authorization for a Certification Statement Required for the Recreational Trails Program Grant Application – Consideration of Resolution 9-R-08, which authorizes the City Manager to sign a Certification Statement for the Recreational Trails Program grant applications through the Illinois Department of Natural Resources. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 10-R-08 - Authorization for a Certification Statement Required for the Illinois Bicycle Grant Application - Consideration of Resolution 10-R-08, which authorizes the City Manager to sign a Certification Statement for the Illinois Bicycle grant application through the Illinois Department of Natural Resources. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Ordinance 12-O-08 – Proposed Paving of Alley North of Grant St./East of Cowper Ave. – Special Assessment No. 1490 – Consideration of proposed Ordinance 12-O-08, by which City Council would authorize paving the alley north of Grant St./east of Cowper Ave. through the Special Assessment process. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 13-O-08 – Proposed Paving of Alley North of Davis St./East of Judson Ave. – Special Assessment No. 1491 – Consideration of proposed Ordinance 13-O-08, by which City Council would authorize paving the alley north of Davis St./east of Judson Ave. through the Special Assessment process. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 14-O-08 – Proposed Paving of Alley North of Nathaniel Pl./East of Fowler Ave. – Special Assessment No. 1492 – Consideration of proposed Ordinance 14-O-08, by which City Council would authorize paving the alley north of Nathaniel Pl./east of Fowler Ave. through the Special Assessment process. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 15-O-08 – Proposed Paving of Alley North of Lake St./East of CTA Railroad – Special Assessment No. 1493 – Consideration of proposed Ordinance 15-O-08, by which City Council would authorize paving the alley north of Lake St./east of CTA Railroad through the Special Assessment process. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 20-O-08 – Proposed Retail Tobacco Vendor License Fee Amendment – Consideration of proposed Ordinance 20-O-08, which would amend Section 3-16-4 of the City Code to increase the annual license fee to sell retail tobacco products in the City of Evanston from \$250 to \$500. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 21-O-08 – Proposed Health Code License & Fee Amendments - Consideration of proposed Ordinance 21-O-08, which would amend sections of Title 8 of the City Code related to food establishment license fees and food delivery vehicle licenses (increase from \$36 to \$50). * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 22-O-08 – Wheel Tax/Vehicle Sticker for FY 2008-09 Budget - Consideration of proposed Ordinance 22-O-08, which would amend various sections to Title 10, Section 8 of the City Code entitled, “Wheel Tax” to change fees for the City of Evanston vehicle sticker. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 25-O-08 – Sanitation Service Charge Increases - Consideration of proposed Ordinance 25-O-08, establishing a \$2.50 monthly fee to service each additional garbage cart beyond the single cart covered by the Sanitation Service Charge. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 26-O-08 – Residential Parking Permit Fee Increase - Consideration of proposed Ordinance 26-O-08, which would amend Section 10-4-5-2 (B) 11 of the City Code to increase the annual fee for on-street Residential Parking Permits to \$90.00. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 33-O-08 – Motor Fuel Tax for FY 2008-09 Budget- Consideration of proposed Ordinance 33-O-08, which amends Section 3-2-17-2 of the City Code titled, “Motor Fuel Tax Imposed,” to increase the rate from \$0.02 to \$0.03 per gallon. * MARKED INTRODUCED – CONSENT AGENDA

PLANNING & DEVELOPMENT

* Ordinance 29-O-08 – Rescinds the Evanston Landmark Designation from the Property at 1218 Elmwood Ave. – Consideration of a recommendation from the Preservation Commission to rescind the Evanston Landmark designation from the property at 1218 Elmwood Ave. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 30-O-08 – Preservation Commission Review Fee Ordinance - Consideration of proposed Ordinance 30-O-08, which amends Section 16 and creates a new Section 17 of Title 2, Chapter 9, of the City Code to implement fees for Applications for Review by the Historic Preservation Commission. * MARKED INTRODUCED – CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES

ADMINISTRATION & PUBLIC WORKS:

Ordinance 34-O-08 – Prepared Food & Non-Alcoholic Beverage Tax – Consideration of proposed Ordinance 34-O-08, by which City Council would approve a new tax titled, “Prepared Food and Non-Alcoholic Beverage Tax,” which shall become effective April 1, 2008.

Alderman Jean-Baptiste moved the ordinance be amended as follows: 3-2-19-1 definitions: prepared food: A. eliminate “alcoholic” from the first line. Under 3-2-19-4 Books and Records: third line down, substitute “beverages” for liquor, under definitions: Non-alcoholic beverage means any beverage containing less than 45% by volume. Alderman Jean-Baptiste moved introduction of Ordinance 34-O-08 as amended.

Ordinance 23-O-08 – General Business License for FY 2008-09 Budget – Consideration of proposed Ordinance 23-O-08, which amends Section 3-31-6 of the City Code titled, “License Fees,” which includes General Business License fee increases and the addition of an initial application fee, inspection fee and a fee for Home-Based Business registration.

This ordinance was held in committee.

Ordinance 24-O-08 – Taxi Industry for FY 2008-09 Budget - Consideration of proposed Ordinance 24-O-08, which amends various sections of Title 3, Section 19 of the City Code titled, “Taxicabs; Vehicles for Hire,” which includes license renewal fee increases and rates charged to consumers for taxicab use.

This ordinance was held in committee.

Ordinance 27-O-08 – Parking Meter Rate and Parking Fine Increases – Consideration of Ordinance 27-O-08, by which City Council would amend Sections 10-11-12 (A) and (B) Section (C) of the City Code to increase the parking rate downtown and increase the snow emergency parking fine.

Alderman Jean-Baptiste reported the committee separated the two sections and asked that the snow emergency parking fine be removed. He moved the first part of Ordinance 27-O-08 be marked introduced.

Ordinance 28-O-08 – Yard Waste Sticker Program - Consideration of Ordinance 28-O-08, by which City Council would amend Section 8-5-3 (E) of the City Code to establish a charge for the collection and disposal of yard waste.

Alderman Rainey moved that Ordinance 28-O-08 be removed from the agenda. Seconded by Alderman Hansen. There were no objections.

PLANNING & 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 Holmes reported that this item was withdrawn at the request of the applicant and will be held in committee.

Ordinance 31-O-08 – Licensing of Rental Dwelling Units - Consideration of a staff recommendation to charge \$40 per unit/year license fee for all residential rental dwelling units.

Alderman Holmes asked that this be marked introduced and referred back to the committee. Alderman Holmes reported the committee vote was 7-1. Alderman Hansen voiced a “no” on introduction of Ordinance 31-O-08.

Ordinance 32-O-08 – Plan Commission Recommendation for a Map Amendment and Planned Development at 708 Church Street – Consideration of a recommendation from the Plan Commission to rezone the property at 708 Church St., from the D2 Downtown Retail Core Zoning District to the D3 Downtown Core Development Zoning District, and to grant Planned Development status for the project on that site of a 49-story residential and retail tower a/ka the “Fountain Square Development.”

Alderman Holmes reported that this item was held in committee. Ordinance 32-O-08 will be discussed at the March 10 P&D Committee meeting and a special P&D Committee meeting on March 17 with only that item on the agenda.

CALL OF THE WARDS:

4th Ward. Alderman Bernstein announced a Human Services Committee meeting Monday, February 18 at 7:00 p.m. to discuss one or more resolutions on immigration. He gave kudos to the Jewish Reconstructionist Congregation (JRC) for their wonderful job and green environment. He asked for a status report on 1817 Church St., the site of what will be a Black History Museum. He asked about the rental of stores in the parking garage that have been vacant. A year ago he made a reference to the Plan Commission on the concept of converting coach houses into two condominium units that would create affordable housing units. Condominiums are regulated only if there are three or more units.

He appealed to trustees and people who set policies for not-for-profit organizations, entities who take advantage of services, and not to diminish contributions of these organizations such as churches, hospitals, universities or the like. There are circumstances, ethical and moral, not legal, affecting Evanston. We are having a “bake sale” for Evanston; are at risk and have pension funds to pay. Cooperation from all non-profits is needed.

In taking back property at 1817 Church Street, Mayor Morton asked if the building would be open for another use. Alderman Bernstein explained that the CD Committee had provided federal funds to create a Black History Museum; after years of funding and no result, the City took it back. The building is not in good shape. A status report will be provided. Alderman Rainey said on the next CD Committee agenda, the committee will develop a proposal to find an entity to redevelop that property to create a Black History Museum.

5th Ward. Alderman Holmes said the regular 5th Ward meeting would be held Thursday, February 21 with an update on the West Side plan. The Black History Museum is not on the agenda as no report from the CD Committee was received.

7th Ward. Alderman Tisdahl won’t be at the next Human Services Committee meeting February 18 and echoed Alderman Bernstein’s appeal to trustees of non-for-profit institutions in Evanston.

8th Ward. Alderman Rainey reported attending a Hands Across Howard meeting last Saturday afternoon, which is an effort for people in south Evanston to communicate with people south of Howard Street. Alderman Moore of the 49th Ward was there also. As their first effort, they have chosen to turn around commercial properties on Howard Street and will come before Council for some TIF money. She appealed to all people who live next door to a bad building to come to the Civic Center on February 25 and support the landlord licensing program.

9th Ward. Alderman Hansen noted there has been a lot of snow and crews have done an excellent job. A walk around (her neighborhood) showed there are mounds of ice and snow everywhere. People cannot walk on the sidewalks or walk their dogs. She understood the salt rationing. What are they doing to alleviate the problem? She hasn’t seen plowing or crews making curb cuts accessible. People have emailed her that they are outraged. Alleys are very difficult to access.

She asked the City Manager's office to look into how the streets and sidewalks could be improved.

2nd Ward. Alderman Jean-Baptiste asked for all to observe a moment of silence on behalf of the staff and elected officials of Kirkwood, MO who were killed recently. He stated that serving on the Council is mainly a volunteer job. They spend time and effort to make things happen. They can disagree but should not be as disagreeable as the person in Kirkwood, who had problems with the government and took it to the level of gunning people down.

He asked Assistant City manager Aiello to remind City Manager Carroll that several have asked for the former actuary to come before this budget is passed to give some perspective on what has gone on. When the City made the decision to take back 1817 Church, they reiterated a commitment to have a Black History Museum.

He reported the immigration resolution was held in committee to improve the language and include more people in the discussion, including opponents and proponents. He hoped that all would be civil because people have differing views.

Mayor Morton asked if they anticipate a report from the Blue Ribbon Committee before the budget is passed. No. Alderman Wynne thought they would study the issue in the next few months and come back to Council with a recommendation. Alderman Bernstein understood that, to the extent they can invalidate some numbers; they would reach some accommodation before December when the tax levy has to be passed. They want the former actuary, Windsor, to attend the Saturday, February 23 meeting.

Mayor Morton asked about a letter from an individual who requested information but was denied because his request was not specific enough. The request was for actuarial information and information about Mayor Morton. The Mayor was advised to send the request to City Clerk Morris.

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 10:15 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.