

CITY COUNCIL

June 9, 2008

ROLL CALL – PRESENT:

	Alderman Wynne	Alderman Tisdahl
	Alderman Bernstein	Alderman Rainey
	Alderman Holmes	Alderman Hansen
A Quorum was present.	Alderman Moran	Alderman Wollin

ABSENT:

Alderman Jean-Baptiste

PRESIDING:

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, June 9, 2008, at 8:43 p.m. in the Council Chamber.

MAYORAL ANNOUNCEMENTS:

Mayor Morton introduced new City Clerk Rodney Greene, an Evanston resident. She noted he has been a supervisor for 25 years and was skilled at conflict and time management. His last employer was Northwestern University.

Mayor Morton asked Deputy City Clerk Mayre Press to take minutes that evening because some paperwork needs completion before Mr. Greene would handle City Council minutes. She reported that Ms. Press had served as deputy city clerk for more than 10 years and was well versed regarding the duties and responsibilities of that office. Mayor Morton thanked her for filling in during the time there was no city clerk and her willingness to teach Mr. Greene about the job.

CITY MANAGER ANNOUNCEMENTS: None

COMMUNICATIONS: None

Public Hearing: Evanston Township Budget

No one signed up to speak.

CITIZEN COMMENT:

Bennett Johnson, 1229 Emerson St., Evanston Chapter/NAACP, noted that residents had worked for some time to form a citizens' review board. His group believed that was important because they believe in a tranquil community. Based on experience, there is a persistent problem with police over-reacting, over-policing and, sometimes, that came to actual misconduct. A professional committee has been in place for a long time and the police chief has tried to conceptualize a citizens' committee that would have the same basic structure. He urged Council to give the ordinance its full support.

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: Request for HOME Funds for Citizens' Lighthouse Community Land Trust for a Single-Family Ownership Project; Citizens Police Advisory Committee; and Ordinance 43-O-08 – Proposed Budget & Appropriation for Town Purposes for Year Ending March 31, 2009. Seconded by Alderman Rainey.

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

ITEMS APPROVED ON CONSENT AGENDA

MINUTES:

* Approval of Minutes of the Regular City Council Meeting of May 27, 2008. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

ADMINISTRATION & PUBLIC WORKS:

* Approval, as recommended, City of Evanston payroll for the period May 29, 2008 and City of Evanston bills through June 10, 2008, as authorized and charged to the proper accounts:

City of Evanston payroll (through 05/29/08)	\$2,366,602.87
City of Evanston bills (through 06/10/08)	\$4,143,712.21

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

* Recommend approval of a contract with T. Steele Construction (8300 42nd Street W., Rock Island, IL) in the amount of \$154,850, plus a 10% contingency for a total request of \$170,335 for the purchase and installation of a 140-foot radio antenna tower for Fire/Police radio. Funded by the Emergency Telephone System budget. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of a construction contract with Johnson Paving (1025 E. Addison Ct., Arlington Heights) in the amount of \$78,000 to provide maintenance repairs on Central Street. Funded by the IDOT Extraordinary Maintenance Repair Fund. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of the purchase of a closed-circuit television (CCTV) truck (camera equipment and remote transponder) from sole-source vendor, EJ Equipment (P.O. Box 665, Manteno, IL) in the amount of \$34,000. Funded by the Sewer Fund. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of the lowest responsible and responsive bid (09-18) to Schroeder & Schroeder (7306 Central Park Ave., Skokie) in the amount of \$93,000 for the 2008 50/50 Sidewalk & Curb Replacement Program. Funded by the CIP and matching funds of the property owners who participate in the program. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of lowest responsible and responsive bid (09-20) to Chicagoland Paving Company (225 Telser Rd., Lake Zurich) in the sum of \$162,185.50 for 2008 ADA Ramp, Parking Lot & Block Sidewalk Programs. Funded by CDBG, \$100,389 and Parking Fund, \$61,796.50. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 70-O-08 – Four-Way Stop at McDaniel Ave./Simpson St. - Consideration of proposed Ordinance 70-O-08, introduced May 27, 2008, which amends Section 10-11-5, Schedule V(D) of the City Code to establish a four-way stop sign at the intersection of McDaniel Ave. and Simpson St. * ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 71-O-08 – Four-Way Stop at Wesley Ave./Noyes St. Consideration of proposed Ordinance 71-O-08, introduced May 27, 2008, which amends Section 10-11-5, Schedule V(D) of the City Code to establish a four-way stop sign at the intersection of Wesley Ave. and Noyes St. * ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 72-O-08 – Increase in the Number of Class D Liquor Licenses – Ruby of Siam – Consideration of proposed Ordinance 72-O-08, introduced May 27, 2008, which amends Section 3-5-6(D) of the City Code to increase the number of Class D liquor licenses from 21 to 22 due to the new ownership of Ruby of Siam, 1125 Emerson St. * ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 73-O-08 – Decrease in the Number of Class Y Liquor Licenses – Winestyles – Consideration of proposed Ordinance 73-O-08, introduced May 27, 2008, which amends Section 3-5-6(Y) of the City Code to decrease the number of Class Y liquor licenses from 1 to 0 due to the change in ownership of Winestyles, 1741 Sherman Ave. * ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 74-O-08 – Increase in the Number of Class R Liquor Licenses – Taylor Street –

Consideration of proposed Ordinance 74-O-08, introduced May 27, 2008, which amends Section 3-5-6(R) of the City Code to increase the number of Class R liquor licenses from 1 to 2 due to the opening of Harlow, LLC, dba Taylor Street, 2916 Central St. * ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 75-O-08 – Increase in Number of Class Y Liquor Licenses – Winestyles – Consideration of proposed Ordinance 75-O-08, introduced May 27, 2008, which amends Section 3-5-6(Y) of the City Code to increase the number of Y liquor licenses from 0 to 1 due to new ownership of Winestyles, 1741 Sherman Ave. * ADOPTED–CONSENT AGENDA MOTION & ROLL CALL (8-0)

PLANNING & DEVELOPMENT

* Ordinance 32-O-08 – Plan Commission Recommendation for a Map Amendment & Planned Development at 708 Church St. – Consideration of a recommendation from the Plan Commission to rezone the property at 708 Church St. from D2, Downtown Retail Core Zoning District, to D3, Downtown Core Development District, and to grant a Planned Development on that site of a 49-story residential and retail tower known as the “Fountain Square Development.” (Revised plan is for a 38-story residential and retail tower.) TABLED IN COMMITTEE UNTIL COUNCIL ADOPTS THE DOWNTOWN PLAN.

HUMAN SERVICES COMMITTEE

* Approval of May 2008 Township Monthly Bills – Consideration of a recommendation to approve the Township bills, payroll and medical payments for the month of May 2008 in the amount of \$108,681.80. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

OTHER COMMITTEES

* Approval of a recommendation by the Economic Development Committee to provide annual funding of \$65,563 for FY 2008-09 for Chicago’s North Shore Convention & Visitors Bureau. Funded by the Economic Development Fund Budget for FY 2008-09. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Approval of a recommendation by the Economic Development Committee to provide an additional \$2,500 grant to the Dempster-Chicago Merchants Association. This increases the original grant from \$7,500 to \$10,000. Funded by the Neighborhood Business District Improvement Program. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

REPORT OF THE STANDING COMMITTEES

ADMINISTRATION & PUBLIC WORKS:

Alderman Hansen reported that at Council’s request, staff held a public hearing with regards to a solid-waste franchise. Council has further directed staff to come to the committee with an ordinance on a solid-waste franchise for the next A&PW agenda.

PLANNING & DEVELOPMENT

Request from the Citizens’ Lighthouse Community Land Trust (CLCLT) for Additional HOME Funds for a Single-Family Ownership Project – Consideration of the Housing Commission recommendation to approve additional funding for CLCLT to rehabilitate 2212 Washington St. Staff recommends an additional \$8,500 in HOME funds for rehab and \$6,500 in down payment assistance to an eligible buyer, totaling \$15,000 in additional assistance to the project and enable an \$11,000 cost reduction in

sale price.

Alderman Holmes moved approval of this request. Seconded by Alderman Moran.

Alderman Rainey opposed this additional expenditure and explained her objections in detail at the committee.

Roll call. Voting aye – Wynne, Bernstein, Holmes, Moran, Tisdahl, Hansen, Wollin. Voting nay – Rainey. Motion carried (7-1).

Alderman Holmes reported that the committee voted to develop a task force to explore strategies for developing a comprehensive affordable housing plan.

HUMAN SERVICES COMMITTEE

Approval of the Citizens' Police Advisory Committee (CPAC) – Consideration for approval of the Citizens' Police Advisory Committee. Funded by the Office of Professional Standards.

Alderman Bernstein moved approval. Seconded by Alderman Holmes.

Alderman Rainey thought the current language was too tentative. She moved to amend the language in the concept outline (Paragraph one) to read, "The committee shall be made up of nine members, one member from each ward."

Alderman Bernstein understood Alderman Rainey's concerns, but pointed out this was brought to Council as a pilot program by the Police Chief in conjunction with individuals who had been at the Human Services Committee meeting. In the short term, the numbers won't work out. In the long term, he agreed with her and it would be best to have one member from each ward. He thought the intent was to accept the initial representations of this committee and the Chief, which has worked together for more than one year.

Alderman Rainey stated there would be no controversy if they established a set number (of members) for the pilot program. She favored starting out in a more systematic way and reiterated that having one person representing each ward would remove the controversy.

Alderman Hansen wondered about the title wording "Concept Outline" and asked if this is something that would be ironed out in a more solid, defined manner as to how the committee would act.

Alderman Bernstein explained the intent was to get something started. There's a perception in the community that it doesn't pay for someone to complain to the Police Department because they won't be heard. In the short term, they want to see if this process will work.

Police Chief Eddington stated one concern he expressed to the men and women he worked with on this proposal was if they didn't get enough volunteers and nothing happens, it would add to the frustration. It was his suggestion to start with a low number so that they can at least get started with training. He thought any further delay would cause the credibility issue (that the alderman mentioned) to grow.

Alderman Rainey believed that every single ward should be represented and could get people from the 9th Ward to serve on this committee.

Alderman Holmes asked each alderman to commit that evening to make a couple of recommendations to the Mayor for one person from their ward and they could get the nine members right away. She wanted to see this move ahead.

Alderman Hansen said she would be happy to do that and appreciated that the concept is a work in progress. She felt this was a major issue and cautioned everyone about the point where CPAC members would "make recommendations to the chief of police regarding future training needs, so as to avoid incidents of misconduct." She pointed out that the advisory committee members may not be as well versed in law enforcement as others. She wanted Human Services to watch this

to ensure it works to its fullest intent.

Alderman Rainey moved to amend the concept outline to include nine members on the committee, one member from each ward. She added Alderman Holmes' recommendation that each alderman submit two names for consideration. Seconded by Alderman Holmes.

Voice vote. Motion carried, no nays.

Alderman Rainey directed Council's attention to pages 4& 5 of the CPAC concept outline and the list of the questions that applicants who want to serve on this committee are asked to answer. She thought it poses some issues and cited a few examples: "Why do you want to serve on this committee? What qualification do you have...? What is racial profiling and what other ways can it be expressed? Is excessive force ever necessary?" She asked if that was a "yes" or "no" question or is it an essay question. She wondered if these questions were from law enforcement and used to test personalities. Alderman Rainey was not familiar with this and wanted it explained.

Chief Eddington responded that these were not law enforcement questions. They were brought forth by some of the committee members as they recommended types of questions to ferret out the background and attitudes of people who volunteer for the committee. Members thought these questions might provide some insight into those attitudes before the aldermen forwarded their recommendations to the Mayor.

Mayor Morton wanted to know who would receive the answers to these questions and evaluate them. Chief Eddington said that if those questions are used by the aldermen to conduct an interview with someone who has expressed an interest they will listen to the answers. If those answers pass muster for the aldermen, that recommendation will be forwarded to the Mayor. Similarly, if candidates sit down for an interview with the Mayor, she may choose to ask these questions and use her judgment to make a recommendation.

Alderman Bernstein did not think that these questions could be answered with a "yes" or "no" answer. He thought they would pique the knowledge of the kinds of things this committee would discuss. He stated this would be a prelude that tells people what they can expect from serving on this committee. Alderman Bernstein pointed out that the Police Chief would have final authority and the committee would be advisory to him. He emphasized that the committee would not have the authority to make decisions. He said this is a concept to show the community that there is some fairness in the Police Department. If people feel they have been aggrieved, they will be heard by citizens in addition to police officers.

Alderman Rainey stated that reality has to be displayed and that fair people can give a fair hearing whether they've ever had an interaction with the police or not.

Alderman Bernstein moved approval of the Citizens' Police Advisory Committee concept outline as amended. The motion was seconded.

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

Ordinance 43-O-08 – Proposed Budget & Appropriation Ordinance for Town Purposes for Fiscal Year Ending March 31, 2009 – Consideration of proposed Ordinance 43-O-08, the Proposed Budget & Appropriation for Town Purposes for the Fiscal Year Ending March 31, 2009.

Alderman Bernstein said this item was for introduction, but he had some questions to be answered prior to the time it would come for action. He noted that this was timely and the Township budget would have to pass it before the end of June. He wanted to have receipts for the following expenditures: notary fees, \$326; Cook County Assessor's Association, \$300; updates-computer software, \$700.

Township Assessor Sharon Eckersall stated she could give Alderman Bernstein answers that evening. He stated he needs it in writing, that he needed documentation. Alderman Bernstein asked about the courses that Darnell (assessor's assistant) will take.

Mayor Morton pointed out that it is not out of line to request documentation (receipts) from an elected official – no documentation, no money (reimbursement).

Alderman Bernstein requested that Ms. Eckersall turn the documentation to Health & Human Services Director Evonda Thomas within a week.

Alderman Holmes pointed out that they are not due for another Human Services Committee meeting until July 7 and the Township Budget has to be passed by June 30. She reiterated that the documentation must get to Ms. Thomas this week so that the Township Trustees will have time to review it before the next meeting.

Alderman Bernstein requested that Ordinance 43-O-08 be marked introduced.

CALL OF THE WARDS:

3rd Ward. Alderman Wynne wanted to congratulate all of the graduates of all of Evanston's various educational institutions and wish them a happy future.

4th Ward. Alderman Bernstein also congratulation the Class of 2008.

Alderman Bernstein reported the passing of Brigadier General Bernard B. Baum, whom he met 20 years ago while volunteering for the 4th of July parade. He stated that Mr. Baum was an incredible man who would be missed and offered his condolences to the family.

5th Ward. Alderman Holmes added her congratulations to all graduates in 2008.

She wanted to congratulate the Evanston Youth Initiative (EYI) for the 3rd annual event that they held at ETHS on Friday evening, which was well attended. The group will have a candlelight vigil sometime in July.

Alderman Holmes reminded everyone about the 5th Ward meeting on June 19 and invited all to the opening of the West End Farmers' Market on Saturday, June 14, at the southeast corner of Church & Dodge, from 7:00 a.m. to 1:00 p.m.

She announced that former police Sgt. Ronald Pryor passed away and his services would be this Friday evening at First Church from 7:00-8:00 p.m.

Alderman Holmes announced that long-time Evanston resident Ollie Hunter Boyd passed away and her services will be Saturday at Springfield Baptist Church at 10:00 a.m.

7th Ward. Alderman Tisdahl congratulated all of the graduates and asked for volunteers from the 7th Ward to serve on the Citizens' Police Advisory Committee

8th Ward. Alderman Rainey congratulated Brummel Park Neighbors on their annual summer carnival and asked 8th Ward residents if they would be interested in serving on the Citizens' Police Advisory Committee.

9th Ward. Alderman Hansen announced that the Custer Street Fair would be the weekend of June 21-22. She invited everyone to come enjoy the fair in the 4th and 9th wards.

She has gone to the beach with her children and reminded everyone that the beaches are now smoke-free.

1st Ward. Alderman Wollin also asked that 1st Ward residents who want to volunteer for the Citizens' Police Advisory Committee to contact her.

She noted that many residents in her ward are cleaning out their apartments after graduation. The City and the university

will share the cost of five big Dumpsters and she urged students to use them. Alderman Wollin mentioned that there is a great recycling program going on with organizations that are collecting unwanted items such as clothing and computers. She thanked Suzette Eggleston for helping to arrange that and Tom Twigg for putting up the signs. No parking signs were placed where the Dumpsters will go and be on the streets from June 10-24.

Mayor Morton invited everyone to attend to rededication ceremony for Fountain Square on Saturday, June 14 at noon.

She reported learning that Belize City, Evanston's Sister City, had been struck by another hurricane. They are asking for clothing and other items.

At 9:50 p.m. Alderman Bernstein moved to convene into Executive Session to discuss matters related to personnel, real estate, and litigation pursuant to 5 Illinois Compiled Statutes 120/2 (c) (1), (5), (6), and (11) 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.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

Seconded by Alderman Holmes.

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

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 10:40 p.m.

Mayre Press,
Deputy 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.