

**CITY COUNCIL**

July 14, 2008

**ROLL CALL – PRESENT:**

Alderman Bernstein  
Alderman Holmes  
Alderman Moran  
Alderman Tisdahl

Alderman Rainey  
Alderman Hansen  
Alderman Wollin  
Alderman Jean-Baptiste  
Alderman Wynne

A Quorum was present.

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, July 14, 2008, at 8:44 p.m. in the Council Chamber.

**MAYORAL ANNOUNCEMENTS:**

Before we begin tonight, she wanted to make an announcement. At the last meeting, we had a citizen not of the City of Evanston who spoke here and raised an objection to his name being publicized. Any time you make a public statement and speak here, it is a public meeting and your name will appear wherever we send the information. The Mayor wanted to make that clear. Now, if there are people here who do not wish to have their names publicized, I recommend that they don't speak. For our purposes, we need to have your name and address. We can't edit public information.

*Mayor Morton proclaimed*  
**Americans with Disabilities Day**  
**July 25, 2008**

She read the following proclamation: “**The 18<sup>th</sup> Anniversary of the signing of the Americans with Disabilities Act**” before the City Council and the audience inside the Council Chamber at the Civic Center in Evanston.

Mayor Morton announced the cycling tour. She stated it is an outstanding affair, bicyclist come from all over the world come to this little town on the North Shore to race on that particular day. There will also be bike races for little kids at another place downtown. Mayor Morton strongly encouraged people to come and enjoy the day. She added that merchants will open their doors, along with the restaurants that were filled to capacity last year.

**CITY MANAGER ANNOUNCEMENTS:**

Recreation Superintendent Bob Dorneker announced that this weekend Evanston will be hopping with three special events. First, the Evanston Ethnic Arts Festival will be Saturday, July 19 and Sunday, July 20, from noon to 7 p.m. at Dawes Park, Sheridan Rd. and Church St. There will 125 artists, two stages with continuous music, dance, sing-along, ethnic food and children's art activities. Admission is free and a free shuttle will run between the NU parking garage (three blocks north of the festival site) and the entry point (Sheridan/Church).

He reported that some streets in downtown Evanston will be closed all day Sunday starting at 7 a.m. for the ENH Grand-Prix of Cycling. Streets closures are in the area bounded by Clark St. on the north, Grove St. on the south, Sherman Ave. on the west and Chicago, Davis and Orrington on the east. Complete information about the festival and a map of street closures can be found on the City's website, [www.cityofevanston.org/ethnic](http://www.cityofevanston.org/ethnic). The first cycling race will start at 9 a.m., a dance party will be at 3 p.m. and the final race at 5 p.m.

Mr. Dorneker announced the dedication of Noah's Playground for All will be Sunday, at 3 p.m., rain or shine. It is the first fully accessible playground in Evanston.

**COMMUNICATIONS: CITY CLERK:** None.

**CITIZEN COMMENT: AGENDA ITEMS**

William Roberts, Lisle, Ill., read some brief paragraphs to update the Council on the process and the latest information. Previously they presented building designs and preliminary site plans to SPAARC and other hearing groups. He could not answer all the questions that evening and did not bring back all material. Much of that testimony was based on the efforts of the university to accommodate questions of the residents adjacent to the 1620 Central building. The issues of noise control, trash removal, odor control, traffic congestion and appearance all have been rectified legally through careful considerations of operational design options that apply to those concerns. Additionally, the university agreed to pay its fair share for alley restorations. He quoted at the last meeting that they came up with a system of window treatments and blinds, and styles of windows and Plexiglas, and scheduling issues which answered most of the concerns. We have also engaged the services of a landscape design architect, who is present to answer any questions. We have met with most of the residents in the area to get their direct input to the types of landscaping, down to the height and the types of trees. He has copies of the concept plan to pass out. This is not the final plan, permanent process and documents, which will be submitted to the Parks/Forestry Division. He noted a number of people have signed in to speak--PACE members who live in Evanston, family members and employees. His colleague, Ms. Hartig, vice president of communications and marketing, will introduce them and make a few comments. He will be here for any questions.

Jeanne Hartig, 122 S. Michigan, Chicago, stated that PACE has been privileged to be part of the Evanston community for 21 years, and the City has played a significant roll in the national and international acclaim for the program as we have received for many years. We hear continually of the City's commitment to diversity and the welcome it has extended to our students who have multiple learning disabilities. It is connected to all who wish to live an independent life in the City as engaged citizens and good neighbors. Many of students have written emails and letters of support for the ordinance that is before you, and just today we have received more than 100 additional letters from Evanstonians, who support the ordinance. We only have one copy, because we are trying to save trees too, but we will give you more if you so desire. In conclusion, on behalf of PACE students, who have been part of this community for decades; PACE alumni, who now live and work here in Evanston; the trustees; the president; the faculty of NLU, including here tonight: Provost George Litman, PhD and Harry Ross, PhD, who is one of the imminent professors in Early Childhood Education. We would like to thank the Council for their consideration and attention. She introduced those who will speak tonight: Margie Collins (1990 graduate and a fourth generation Evanston resident), Ira Mitchell (1992 graduate, Evanston resident), Caroline Colianne (Evanston resident), Harry Ross (Central St. resident and NLU faculty), Tom Fischl (1992 graduate and Evanston resident), Carol Burns (director of PACE for 21 years). She would be available for questions as well.

Ira Mitchell, 2539 Asbury Ave., stated he graduated from PACE in 1992 and moved into an apartment at 2308 Central St. After seven years, he bought the home where he currently resides. Voting "yes" tonight in favor of PACE will be a great asset to Evanston. Thank you.

Margie Collins, 835 Mulford St., is a fourth generation Evanstonian and graduated from PACE in 1990 (the second graduating class). She is the oldest woman to graduate from PACE. Besides living in Evanston, she works here as well. She fits in with all the different kinds of people here and that public transportation helps her a lot. When she is not working, there is a lot to do (especially in the summer) with all the street and art fairs. She loves to run into people she knows while going around Evanston. The PACE program got her started in her independent life. It would be great for all new PACE students to be in Evanston. Please vote "yes" for the program. The Mayor thanked Ms. Collins for coming.

Caroline Colianne, 1500 Chicago Ave., graduated from the PACE program in 2003. She has lived in Evanston for five years and made a good life for herself. She enjoys it for the many things you can do in walking distance to a train or bus ride away. She is on the Special Olympics team and uses the facilities at chairman's center and Levy center. All the people at these places are welcoming. The availability of transportation is great I can get to everywhere I want to go, to my job, restaurants, the movies, special events, or a concert out in the park. Evanston is a great place to live, and I thank PACE to helping me to live independently and hope that City Council will allow PACE to buy the building, so many more PACE students can get the same opportunity.

Janet Lerner, 823 Ingleside Pl., has been an Evanston resident for more than 35 years. She had the opportunity to interact with PACE students when they were at the Sheridan location, the Skokie location and, hopefully, at the new location on Central Street. She thought the people there had been generous neighbors. They graduate, as you have seen, and stay in Evanston. They live in apartments or buy homes. As such, they are valuable employees, are on good terms with the

university, shop in Evanston and become taxpayer citizens. She strongly urged that the ordinance be passed.

Harry Ross, 719 Central St., has been an Evanston resident on Wesley Ave and now on Central St. for two decades. He has been an NLU professor and neighbor of PACE for the past seven years. His office on Sheridan Road was next door to PACE and he loves this program. When NLU moved to Skokie, he asked to be right next to PACE again. He is now familiar with many PACE students, but even when they don't know him, they brighten up his day (as he knew they have brightened up your evening), by wishing him good-morning and good-day. When he sees PACE students around Evanston, they tell him how much they like school and, of course, he says he is from National-Louis and they can return to visit whenever possible. The PACE students need a permanent home. They thrive in a diverse community like Evanston, with its cultural activities and access to public transportation. At the same time, we in Evanston benefit from having excellent educational programs and the graduates stay in our community. He urged Council to welcome PACE back to Evanston. So the students can once again be his neighbors on Central Street.

Carol Burns, 2241 Wesley Ave., she and her husband moved into their home 34 years ago. Although they did not grow up here, it was their community of choice to bring up three, diverse adopted children. Keeping up with Evanston taxes is a subject near and dear to their hearts and paychecks. They have no complaints, nor regrets. As a community, it has served her family well, so they have served the community in various capacities over the years. She has taught in Evanston schools; managed advertising and public relations, for what was for Cyber Realtors; and served on a variety of boards and committees. Her favorite volunteer project was launching the Evanston Pre-school Safety Town Program, now in its 30th year. For the past 21 years she has held a faculty position at National-Louis University, with primary responsibility for the PACE program. She was the assistant director and served under the founder for ten years and is beginning her 12th year as director. As the program matured so did its relations in the community. Being with the program from its inception I was able observe a very unique town bound partnership that grew quietly between one person, one organization, or one employer at a time. The link between classroom and practice within the community became an essential component among a group of students who need actual experiences in order for real learning to occur. Skills that presented in classes are practiced immediately in the lives of the students. Many of the concepts are given back as students participate as volunteers in Keep Evanston Beautiful Trashbusters' Day, elections, fundraisers, walkathons, soup kitchens and more. Students are also guided step by step in their training for employment in the for-profit sector. They are ambassadors for Evanston in all of their recruiting and public relations efforts, promoting Evanston as the location where the student can have all their needs met safely and conveniently without the use of a car. The parents of one of student come from France and have commented often on the European flavor of this community (very unique in this country). The success of the program is now embedded in the community; it is a partnership that others around the country attempting such warmth can only wish for. PACE is grateful and blessed to have opened the doors of this new program concept at the right time in history and most definitely in the right place. By voting "yes" tonight you will make it possible to keep teachers in the same community as the students. This will allow experts and educated men to fit in productively and live independent lives. Our work as educators continues to move in new directions. One of our current project is designing new curriculums and offering life fun classes to our alumni, the oldest now approaching their 40s and along with other adults with disabilities in the community. Responding to need as the community responds in similar fashion towards senior citizens. Productive lives we believe include live long learning opportunities. In summary, she believed this so strongly and has enough knowledge and experience that being in Evanston is key to our continuing success. When she saw 1620 Central St., she was relieved--it looked like home. She humbly submitted that PACE is one small project among many worthy causes in Evanston and citizens are not idle and much fine work is done here. This is one worth approving. PACE is not wealthy, but they sincerely promise to make every effort to give back as much in-kind as received from this community. She thanked the City Council, the staff, the Zoning Board of Appeals and the Planning & Development Committee for their patience and professionalism regarding this project. She has gained an education in City politics and deeply respected work all do for this City.

Ken Bailey, 1602 Central St., prepared some remarks, but would divert from them significantly. He welcomed the PACE students present that evening. He wanted to make something very clear; he represented his neighbors repeatedly throughout this process. They tried to be thoughtful in their objections, not to the PACE program, but to the special use that was granted during the overlay implementation process. He knew he is supposed to address Council, but wanted to address those PACE students and administrators. He reiterated they have no objections to any of you individually, or the PACE program or its fine work. However, we have been strident in our objections to this based on a couple of issues that have been consistent since that first meeting we had with P & D on January 14, 2008 (six months ago). The Council

approved the implementation it's a done deal. They also objected to the fact that the 11th hour insertion was made to help facilitate and expedite a single real estate transaction. He recalled bringing it up about four months ago and was allowed 13 minutes and 50 seconds to represent 17 of the 19 abutting neighbors to this property. He simply pointed out the \$96,000 tax loss at that time. Fast forward to our last meeting and, he has spoken at every one where this has been a matter, he pointed out that not-for-profits do generate income. Now I've been unable precise tuition fees including room and board for each PACE student. He checked out the only similar program of its type in the U.S., the Treshold Program at Lesley University (Cambridge, MA). According to their website it costs a parent \$42,000/year. Conservatively, he took 75% of that amount or about \$31,000/year, as a likely charge for PACE, then multiplied that by 50, not 60 as the plans indicated. Only 50 students will be housed in the dormitory, which doesn't count income or revenue generating from summer programs or the Life Long Learning program that Carol Burns just mentioned, which is new to us. With his computations (\$31,000 by 50), he came up with \$1,575,000 a year of revenue that is generated by the nine-month PACE program. We know from proceedings and from Alderman Tisdahl's efforts and the comment Alderman Rainey made at the last meeting, that National-Louis has been steadfast at not doing any contributions in lieu of taxes. He had two requests: throughout this process they have been told as neighbors participating in the civic activity of arguing both sides of the matter, that they would be heard. Whether or not they've been heard is debatable, but he wanted to hear from all nine members of Council that evening, no matter how briefly they speak. Address the tax issue so you can go on record for all of the young people here and for the people watching at home exactly how you feel. He asked that they take a careful look at the ordinance, with its amendment, before you make your final decision.

Mayor Morton interrupted the speaker due to time constraints. She mentioned that a citizen from Arlington Heights three weeks ago gave funding for a place on Crane, one of our similar projects. The citizens of Evanston have a long history of benevolence. I know that everything you have mentioned the Council will take under consideration.

#### **NON-AGENDA TOPICS**

Tom Fischl, 1415 Leonard Pl., stated that before speaking on the bike race, he noted that he had benefited from the PACE program and worked with the students. He wanted to thank organizers for pulling this bike race together, it would not have happened without all the hard work from the City. You guys really went out of your way to make it happen at a tremendous expense to the City. It is huge for the downtown business from all of us just want to say thank you, in the time of tough budgets you have really stepping up to make this happen. Thank you, thank you, thank you.

Adrian Clarice, 605 Dodge Ave., was also here for the bike race. He wasn't at the race last year and had seen a lot of events in Evanston, but not as grandiose as this. He had never seen so much energy and camaraderie that has happened because of this event, it has placed the City of Evanston on the map. He knew an event like this has a cost factor, so all of the parties involved have come together with all the local restaurants in Evanston. They all promoted the bike race with T-shirts to be sold to raise funds to go with the bike race. He asked the community to support the bike race and bring it back to Evanston again next year and for years to come.

Mayor Morton asked if the T-shirt he was wearing was one that would be sold. Mr. Clarice responded "yes."

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

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: Resolution 43-R-08 – Authorize City Manager to Lease 1223 Simpson St.; Ordinance 86-O-08 – Zoning Ordinance Map Amendment – 1829-31 Simpson St.; Ordinance 79-O-08 – Special Use for Dormitory – 1620 Central St.; Ordinance 32-O-08 – PUD at 708 Church St. and June 2008 Township Monthly Bills. Seconded by Alderman Tisdahl.

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

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

#### **MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of June 23, 2008. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

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

\* Approval, as recommended, City of Evanston payroll for the periods June 26, 2008 and July 10, 2008 and City of Evanston bills through July 15, 2008, as authorized and charged to the proper accounts:

City of Evanston payroll (through 06/26/08)	\$2,717,339.38
City of Evanston payroll (through 07/10/08)	\$2,775,016.06
City of Evanston bills (through 07/15/08)	\$5,411,127.55

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

\* Recommend approval of a one-year extension of the debris hauling contract bid (08-07) with G&L Contractors (7401 N. St. Louis Ave., Skokie) in the amount of \$165,000. Funded by the Water Fund, \$50,000; the Sewer Fund, \$50,000 and the Street & Alley Maintenance Fund, \$65,000. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Recommend approval of a one-year extension of the of the printing and mail preparation contract for four issues of the *Arts+Recreation* magazine with HI-Liter Graphics (700 Blackhawk Dr., Burlington, WI) in the amount of \$66,150. Funded by the Park/Forestry & Recreation Department's Communications and Marketing Services. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Recommend approval of sole-source Geographic Information System (GIS) annual maintenance and support agreement with the Environmental systems Research Institute, Inc. (ESRI) (380 New York St., Redlands, CA) in the amount of \$21,800. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Recommend approval of sole-source maintenance agreement with ITG Solutions, Inc. (17475 Palmer Blvd., Homewood, IL) for the provision of software and equipment maintenance to the Citywide Building Automation Systems of Fleetwood, Chandler, Levy and Robert Crown, Fire Station #3, the Boiler Room and Civic Center Cooling Tower and the Service Center Boilers in the amount of \$22,713. Funded by the Facilities Management Approved account. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Recommend approval of sole-source purchase for Fire Station #5 of a Breathing Air Compressor, part of the reconstruction plan, from Air One Equipment, Inc. (360 Production Dr., South Elgin, IL) in the amount of \$39,500. Funded by Fire Station #5 CIP account. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Recommend approval of sole-source purchase of 45 Visa Portable Radios, plus accessories, for the Police Department's Investigative Services Division from Motorola, Inc. (1309 E. Algonquin Rd., Schaumburg) in the amount of \$45,135.92. Funded by the Emergency Telephone System budget. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Recommend approval of the lowest responsible and responsive bid (09-21) for a contract with Bay Environmental, Inc. (6124 N. Milwaukee Ave., Chicago) as the asbestos containing material abatement contractor for the Police Headquarters Partial 2<sup>nd</sup> Floor Rehabilitation Project in the amount of \$24,470. Funded by the Police Headquarters 2<sup>nd</sup> Floor Rehabilitation CIP account. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Recommend approval of the list of projects to be included in the 2009 Street Resurfacing Program. Funded by the MFT, CIP, state and federal funds. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Resolution 47-R-08 – Relating to Weapons – Consideration of proposed Resolution 47-R-08, which authorizes the Corporation Council and the Law Department to prepare amendments to Title 9, Chapter 8 of the City Code to conform said chapter to the decision of the U.S. Supreme Court in *District of Columbia v. Heller*, 554 U.S. (2008). \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Ordinance 69-O-08 – Delete and Amend Various Portions of the City Code Related to the Immobilization of Vehicles – Consideration of proposed Ordinance 69-O-08, by which the City Council would repeal Sections 10-14-14 through 10-6-21 and amend Section 11-2-11 to be the

prevailing policy on the Immobilization Program for the City of Evanston. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 83-O-08 – Amends Various Sections of Title 8, Chapters 5 and 5½ to Establish a City Franchise for Waste Services – Consideration of proposed Ordinance 83-O-08, which amends various sections of Title 8, Chapters 5 and 5½ of the City Code to establish a City Solid Waste Franchise. It would require all businesses and larger residential properties to use the hauler selected/licensed by the City to remove and dispose of their solid waste. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 85-O-08 – Amends Various Sections of Title 4, Chapter 16 to Comply with the Rules and Regulations of the National Flood Insurance Program – Consideration of proposed Ordinance 85-O-08, which amends various sections of Title 4, Chapter 16 to comply with the rules and regulations of the National Flood Insurance Program. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 78-O-08 Increasing Permit Fees for New Water Service Connections - Consideration of proposed Ordinance 78-O-08, introduced June 23, 2008, which amends sections of Title 7, Chapter 12 (City Waterworks System) of the City Code to increase permit fees for new water service connections. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Ordinance 80-O-08 Decrease in the Number of Class B Liquor Licenses - Consideration of proposed Ordinance 80-O-08, introduced June 23, 2008, which amends Section 3-5-6 (B) of the City Code to decrease the number of Class B liquor licenses from 16 to 15 due to the liquor class change/upgrade of BAT 17, 1709 Benson Ave. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Ordinance 81-O-08 Increase in the Number of Class B1 Liquor Licenses - Consideration of proposed ordinance 81-O-08, introduced June 23, 2008, amends Section 3-5-6 (B1) of the City Code to increase the number of Class B1 liquor licenses from 5 to 6 due to a liquor class change/upgrade of BAT 17, 1709 Benson Ave. \* ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

## OTHER COMMITTEES

\* Approval of a CDBG Loan for \$7,600 to the Reba Early Learning Center – The Housing & Community Development Act Committee recommends approval of a loan in the amount of \$7,600 using unspent CDBG funds from completed 2007-08 activities to the Reba Early Learning Center to upgrade its lighting for improved energy efficiency. \* APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

## **REPORT OF THE STANDING COMMITTEES**

### ADMINISTRATION & PUBLIC WORKS:

Resolution 43-R-08 – Authorizes the Interim City Manager to Enter into a Lease for 1223 Simpson St. – Consideration of proposed Resolution 43-R-08, which authorizes the Interim City Manager to enter into a lease agreement with Norma and Nolan Robinson for the property at 1223 Simpson St.

Alderman Hansen reported the lease expired in 2006 without a renewal and there has not been a lease for either of the parties. The family could not afford the new negotiated price. The committee realized it was a burden on the one working member and instructed staff to assist in locating a resident that was more affordable than \$1300.00/month. Not to renew the lease. **Asked to be removed from agenda, motion was seconded. Vote taken 9-0. Aldermen Bernstein, Rainey, Wollin, Jean-Baptiste, Holmes, Hansen, Moran, Tisdahl, Wynne all (aye).**

### PLANNING & DEVELOPMENT

Ordinance 86-O-08 – Zoning Ordinance Map Amendment – 1829-31 Simpson St. – Consideration of a

recommendation from the Plan Commission to change the zoning designation of the property at 1829-1831 Simpson St. from R3 Two-Family Residential to the MU Transitional Manufacturing District. The initial request of the applicant/property owner, Flepspace, LLC, was to amend the Zoning Ordinance Map for this property from R3 Two-Family Residential to the B1 Business District.

**Alderman Wollin moved for denial of the ordinance and to be removed from the agenda. Seconded by Alderman Holmes. The Aldermen Voted 9-0 to have the Ordinance to removed Bernstein, Rainey, Moran, Hansen, Jean-Baptiste, Wollin, Tisdahl, Holmes, Wynne.**

Ordinance 79-O-08 Special Use for Dormitory – 1620 Central St. - Consideration of a Zoning Board of Appeals recommendation, introduced June 23, 2008, to approve the request from PACE for dormitory use at the 1620 Central Street building.

**Alderman Wollin moved for approval and the motion was seconded. It was then opened for discussion by Aldermen.**

**Alderman Rainey** voted “no” to approve the motion because National-Louis refuses to pay anything in lieu of taxes, since this property will be taken off the tax rolls. She did not believe PACE should be exempted from taxes, this is just another nail driven into the coffin of the taxpayers. Because of this, she is voting “no” for her ward and asked that her fellow Council members support her request (but she knows they won’t).

**Alderman Tisdahl** said to Alderman Rainey that she is right about the pension. She wanted to address taxes, although she didn’t think that’s all the vote is about. Taxes for PACE are watched. They put property back on tax rolls from Ridge Avenue and now they’re taking property off the tax rolls, so that comes out even in her book. Alderman Jean-Baptiste spoke about needing a policy for new not-for-profits coming to town. He spoke wisely about that and the not-for-profits within the City. She felt this is a not-for-profit kind of town. She pointed out that 70% of the PACE graduates work independently and are taxpaying citizens, which helps other taxpayers tremendously. She realized that does not help the Pensions and Firemen Fund, but hopes that this vote is about people, that this vote is about PACE students who have been members of our community for a long time, and that this vote is about wanting to let them to stay in this community, at least that’s what this vote is about for her.

**Alderman Bernstein** wanted to address a comment of one of the speakers with respect to the 11th hour process. There is nothing that comes up here that is not initiated by someone who wants something. It is not uncommon for a developer or a factory owner to ask for a specific remedy. It is not inconsistent with what happens in the lateness of the day if it is related to the issue at hand. As for the tax issue, PACE can apply for an exempt status. They are all fighting with taxes. Would he love them to pay for an alley in lieu of taxes, absolutely, but the PACE program is what Evanston is all about. The City is taxed beyond its ability to pay out sometimes, but they purport to be their brothers’ keepers. This is why he supports this program. Evanston is the PACE program, Evanston is Albany Care, Evanston is Greenwood Care, Evanston is Housing Options--Evanston is a conglomeration of all these things. Is it costly, absolutely yes! Did they want it to go this way, it is Council’s choice. He will support it again.

**Alderman Rainey** disagreed with him. She didn’t think Evanston is all this care. She thought that Evanston is all of us, and all are paying taxes. They can’t have meetings like this, where not just one hour ago, there were people going into foreclosure. These people are being forced out and one of the reasons is they can’t afford their taxes. This town can’t make progress by working like this. Until they start making progress here, people will go into foreclosure, not pay their taxes and their houses will go for sale. It’s time to reform here.

**Alderman Wynne** agreed that Alderman Rainey made a point concerning the removal from the tax rolls--especially if the organization refused to pay its fair share of the alley improvements. She did not comment on voting yea or nay.

**Alderman Hansen** doesn’t take the issue of real estate taxes lightly, but if that was the sole deciding factor in every position that came before her, they would have that 49-story tower on Church Street. Although this program may not contribute real estate property taxes to the City, it will contribute in other ways. One PACE graduate is now a property

tax paying citizen in Evanston. They work here and continue to live here. Their families who don't even live here, will come to Evanston to visit them. She will support this special use.

**Alderman Jean-Baptiste** supported the special use, but is concerned about when do we go ahead to support the initiative. When that program took the property off the tax rolls, he did propose that Council develop a policy to address this and he has some ideas. He would move that they hold this matter for one more meeting and ask the City Manager to sit down with the representatives to negotiate this proposal. They have to be vigilant about these tax dollars because they know that when budget season comes, they have problems deciding about other things.

**Mayor Morton** concluded by saying they have a request of two aldermen that this be held. She thought about the implications of using not-for-profit authorization to pay taxes or make a contribution is much deeper or more far-reaching than this one situation. Because they would set up precedence now to say to the people of Evanston if you can't pay taxes, you can't be here. She wanted to say it while she could and suggested they think about the implication before doing it.

**Alderman Wollin** asked is throwing upon the shoulders of the City Manager a responsibility the Alderman has already tried, in her good efforts, to resolve this issue. Is it her responsibility to negotiate when the Alderman wasn't able to?

**Alderman Jean-Baptiste** noted the City Manager has legal and finance departments. She proposes the budget, so she works in consultation with Council to move certain things forward, she is the administrator. The City Manager is the one to lead the process. You are right. There are implications to everything Council does and that's why they are asking for some discussion. When we come back we will consider another way to present the proposal.

**Mayor Morton** stated when the Pension Fund came up, the Council made a choice on the basis of the information and it did have an option. To me to bring up the pension plan in reference to this may not be the whole story.

**Alderman Holmes** wanted to follow up on something that Alderman Jean-Baptiste said in terms of the policy about not-for-profits, were you making a reference for us to really go ahead and come up with a policy and have a discussion on that. She thought it was time to go ahead and do it now. Yes, that is right, responded Alderman Jean-Baptiste.

**Alderman Moran** pointed out that this matter had been discussed in previous meetings with representatives of PACE and National-Louis who told Council they gave significant contribution to the City previously. There was a strong effort by neighbors, who objected to the program wanted a revised program, that some of the concerns they had about this program going into 1620 Central Street. National-Louis responded, through its lawyers, that the money that they potentially had to make a contribution to the City was consumed by the extra commitments made to the facility to meet the concerns of the neighbors. To bring up the \$145,000,000 Pension Fund with this issue would not help the fund. Council will just have to dig down deeper to pull them out of the hole.

**Alderman Tisdahl** wanted to respond to whether she had asked for payment in lieu of taxes, and that she did.

Alderman Wollin reported that Ordinance 79-O-08 would be held at the request of two aldermen.

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.** Ordinance remained tabled.

**HUMAN SERVICES COMMITTEE**

Approval of June 2008 Township Monthly Bills – Consideration of a recommendation to approve the Evanston Township bills, payroll and medical payments for the month of June 2008 in the amount of \$109,462.96.

**Alderman Rainey** stated that in the bill for the Township, she believed they had talked about this before and didn't know if the committee had met. There is a charge for annual membership dues in the amount of \$425. She has no objection to professional fees, as they pay everybody's professional fees. She felt the taxpayers in Evanston have no business being taxed \$ 425 for an annual Rotary Club membership for the Township. She would move that this be removed from the bill and a message be sent to the Township that this kind of expense is not a proper expenditure for a public entity.

**Alderman Rainey moved to remove the Rotary expenditure from the bill. Seconded by Alderman Bernstein.**

**A vote was taken and the results were 9-0 for removal. Aldermen Rainey, Holmes, Bernstein, Tisdahl, Moran, Wynne, Jean-Batiste, Wollin, Hansen, all (Aye).**

### **CALL OF THE WARDS**

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste, no report.

**4<sup>th</sup> Ward.** Alderman Bernstein thanked the Evanston 4<sup>th</sup> July Association for a wonderful safe, sane celebration. He was not sure if they had discussed it and the Legislator in the State of Illinois has shut us down, but he was appalled at the new AT&T boxes on the parkways on the streets of Evanston that we were forced to allow on our lands. He made reference to the Rules Committee, when we can discuss with our Legislators resending the ordinance, the statutes that allowed AT&T carte blanche even over the Home Rule communities. Alderman Hansen got an update from John Burke. Originally there were 119, but staff got them down to 95. AT&T will pay the cost (up to \$1,500) to remove the boxes from the citizen's parkway. Who will do the labor for removing the boxes from the citizen's parkway?

**5<sup>th</sup> Ward.** Alderman Holmes, no report.

**6<sup>th</sup> Ward.** Alderman Moran, no report.

**7<sup>th</sup> Ward.** Alderman Tisdahl, no report.

**8<sup>th</sup> Ward.** Alderman Rainey, no report.

**9<sup>th</sup> Ward.** Alderman Hansen spoke about the Saint Francis talent show, saying it was fabulous. She reported the Mayor had an act to die for and asked her to come and do it at one of Council meetings to perk it up. She stated that Trader Joe's okay, but they've got Farmer's Best coming to the 8<sup>th</sup> and 9<sup>th</sup> wards. Some 250 people showed up to support the store. Hopefully, it will open before Thanksgiving and all will be invited. She made a reference to the Human Services Committee regarding some amendments to the Clean Air Act two years ago. Some issues came up and she wondered what should the proper enforcement mechanism be with regards to unity and infiltration? She has talked with the City Manager concerning this matter, but they need the Human Services Committee to discuss the means to achieve the goal.

**1<sup>st</sup> Ward.** Alderman Wollin was delighted that Michael Dean was able to come tonight representing Trader Joe's to solidify their intention to be at 1819 Maple Ave. She felt that it would be wonderful store on the north side of town. The book by Beth Boosalis Davis (former alderman) is now out *Mayor Helen Boosalis: My Mother's Life in Politics*. She stated it's not a hot beach book but it's for people who are political junkies. Multiple stores will have it on sale and there should be signing parties in August.

At 10:25 p.m. Alderman Bernstein moved to convene into Executive Session to discuss matters related to minutes, personnel, real estate and litigation pursuant to 5 Illinois Compiled Statutes 120/2 (c) (1), (6), (11) and (21) 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.

(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.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Seconded by Alderman Jean-Baptiste.

Roll call. Voting aye – Bernstein, Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin, Jean-Baptiste, Wynne. 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 10:15 p.m.

Rodney Greene,  
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.