

CITY COUNCIL

August 11, 2008

ROLL CALL – PRESENT:

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

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, August 11, 2008, at 8:36 p.m. in the Council Chamber.

MAYORAL ANNOUNCEMENTS:

Mayor Morton stated that this evening would be a sad one for everyone. She announced that Township Assessor Sharon Eckersall's son died over the weekend, and that young man's services will be held Friday at St. Mark's Church at 11 o'clock. Visitation will be on the night of August 21st at St Mark's, at the corner of Ridge and Davis Street. She would like to indulge the Council in a change of the agenda tonight, and instead holding their remarks about the next announcement she would make, she would like to have their expressions that they would normally save until the end, and if there is no objection to that she would proceed.

The Mayor announced that, also over the past weekend, former Alderman Dennis Drummer had passed away. She spoke of the tremendous contributions to the City of Evanston made by the former 2nd Ward alderman and that she was very sad to report his death. Mayor Morton asked the Council and members of the audience to stand for a moment of silence. After the moment of silence was completed she then invited the Alderman to give their expressions and remembrances.

Alderman Moran remarked that Dennis Drummer was the glue of the Evanston City Council. He has been on the Council for about 17 years and whenever there were choppy waters, Dennis was always the guy who would talk to one side, then the other side and whomever needed to be talked to. He noted that Mr. Drummer was a self-made man. He spoke of his wonderful family, a Vietnam Vet. Dennis was truly his friend. He stated he was going to miss Dennis, and that Dennis was life itself full of energy.

Alderman Bernstein agreed with Alderman Moran as feeling the same as he did. When he was a young freshman Alderman Dennis was his mentor. They would fight and scream at each other, and Dennis would come down and he knew everything would be alright. He was an incredible individual who worked hard and created an empire. He lived his life toward his goal and stuck with it. He instructed all to go home and tell the ones there that they love them, and the ones they thought could wait until tomorrow, don't wait.

Alderman Wynne said her memories of Dennis were very similar to the others who spoke. When she joined the Council she was the rookies of rookies. Dennis taught her how the Council really operated. He was also a true Parliamentarian of the first order and no one in the Congress could out do Dennis. She asked Dennis once, "What would they do without him?" and he said, "Oh someone would step up." Dennis had a memory that was phenomenal, he could remember everything. Dennis stuck with any task that was before him until he had completed it successfully.

Alderman Wollin had the privilege of serving with Dennis. He was a very gracious, gentle man, one of thirteen children. Dennis brought with him all that wonderful country philosophy. He was always willing to look at the other side of an issue and was available and ready to adjust. She stated they were all blessed by his presence and he would be missed.

Alderman Tisdahl stated that Dennis may have known all about city government and all about parliamentary maneuvers. He encouraged her to run for the High School Board, he knew all about the schools and the issues. He had wonderful, wonderful ideas and he helped everyone. She also extended her sympathy to Sharon Eckersall for the loss of her son.

Alderman Holmes did not have the opportunity to work with Dennis as an alderperson, but I did have his support when she decided to run, and he encouraged her to continue to be herself. We were church members together, and Dennis was a photographer and he was the church photographer. He took gorgeous pictures, and he was always so encouraging to her with the youth in the community. He was a gentle soul, and he will be truly missed.

Alderman Hansen stated she never knew Dennis Drummer personally but from the descriptions you've given most of you have taken on his attributes. He, in name, is just echoing in these halls and will be resounding far into the future.

Alderman Rainey recalled how Dennis looked. Did you see a better-looking man? He could have on a plain shirt and jeans and there was never a wrinkle. He had the most beautiful suits. She took over from him as chair of Community Development Block Grant, and there was not a more organized committee than that one. They did not know it at the time, when they went into those meetings he had everything all figured out. He would fly all over the country and had clients in many states. She just felt so bad.

Mayor Morton then announced she had a letter from Alderman Jean-Baptiste, which was addressed to the Mayor and fellow aldermen.

CITY MANAGER ANNOUNCEMENTS:

Ms. Russell introduced the new finance director Mr. Martin Lyons and gave a brief background of his accomplishments. Mayor Morton asked him to come up front so all who were watching from home on TV could see who he was.

COMMUNICATIONS: City Clerk Rodney Greene read a communication from the CTA concerning its proposed Yellow Line Extension, which also invited the public to an open meeting to discuss this new service.

CITIZEN COMMENT: AGENDA ITEMS The Mayor reminded the citizens that 45 minutes are allotted to hear the citizen remarks. Each person will have only 2.5 minutes. Each citizen must state name, address, and residence. Five citizens at a time will be instructed to come up the podium.

Terry Govern, 1031 Central St., He was thanking the Council for considering parking of cars on the golf course for football games. This proposal will give us a chance to clean the golf course, and to improve the area near the golf course that is not golf related. He just wanted to thank the Council for considering the proposal.

Joe Hill, 2647 Broadway Ave., He was there to speak on the proposal for allowing parking for the football games, the proposal presented at the American Legion Hall was for four games and parking on two holes. The proposal before you tonight talks about five games and three holes and it appears to be a misrepresentation and should be dismissed on that demerit alone. It has already begun to expand before it is even approved. The golf course was noted as a green space and to be kept that way with improvements to the CTA, and the Stallinger House on the north side of Central. He failed to see how parking on the golf course is in keeping with the spirit and intent of that plan. Neither the security nor the facilities provided fit the plan. This proposal will set a dangerous precedent. Others with tracks of lands will also want parked cars during games, and how will you discriminate against those?

Pat O'Connell, 2010 McDaniel Ave., has been a resident in Evanston since 1974; she raised her children here and plans to retire here. Exactly a year ago today at 8 am her niece's 29-year-old husband was shot and killed in his front yard by a stranger with a handgun. She was proud that Evanston had an Ordinance ban on handguns and always felt that it helped our City to be safer for all. She strongly urged the Council to defend the current handgun ban and if not, to work with the Legal Community Against Violence (LCAV) to use its model Ordinance as the basis for any new ordinances in Evanston.

Alderman Hansen asked the Mayor to have our legal council to speak concerning our actions in regard to the Gun Ordinance. We have all been receiving calls with what we are doing, and to expound on the talks we have had with the Legal Community Against Violence.

Interim Legal Counsel Elke Purze stated that the draft before you tonight we are proposing to amend not appeal our handgun Ordinance, but to amend our current ordinance to be in compliance with the Supreme Court decision. The way

the City's Handgun Ordinance is codified now is unconstitutional. We have been in contact with the LCAV she was unable to come up with some legislation prior to this evening's Council Meeting. If she comes up with model legislation we will then amend it if it is warranted.

The Mayor remarked for those of you who wanted to speak on this matter, you now know the status and may not wish to speak now.

Stamata Blanes, 1720 Maple Ave, spoke against Trader Joe's. The Council should place a contingency that Trader Joe's has to go in this particular site, and if Trader Joe's backs out then your vote should be null and void and should revert back to its original plan. So she asked Council to consider her proposal.

Tina Paden, 1122 Emerson St., started off by offering her sentiments to former Alderman Drummer, because her mother was co-alderman with him when there were 18 aldermen on the Council. She spoke against the new development on Emerson Street. She is concerned about the traffic, the elderly and the bus service when we were talking about having the area walker friendly.

John Losasso, 1405 Rosalie St., spoke on the proposal for the golf course. He is the president of the Evanston Golf Course Association. What they are looking for is a trial for a sixteen parking options. He sent a fair amount of time talking to neighbors while there was parking on the golf grounds when Evanston Hospital was under construction, and they had no real concerns during that time. They will be providing controlled parking spaces that will be supervised, and if anything this will actually improve the flow of traffic and control in the area. He thanked the Council for their consideration, and he looks forward to their decision.

Joseph Frank, 2644 Asbury Ave, was at first skeptical, but now all of his concerns have been answered. The impact of the course has been addressed and the impact on the neighborhood has been addressed, the way the proposal was handled from the security to the portal potties and the ban on tailgating. We need to support this one year trial see how it goes and then come back next year. Thank you.

Kelly Janzen, 2110 Cleveland St., spoke on the handgun ordinance. As far as the Constitution and the Supreme Court interpreting the Constitution it is the law of the land. As citizens we have a right to the public and it's not an option, it's our duty. He didn't think our City to get into a long legal battle that we would probably lose. He referred to a gun law where he lived before that didn't make much difference before or after the passing. We don't take away cars from people who drive recklessly, you shouldn't take away anything from otherwise law abiding Citizens. Thank you.

Madelyn Ducre, 1929 Foster St, had a few issues to discuss and she will speak very fast. She wanted to thank the people for getting the kids off the streets and doing something constructive. The CPAC, the information is not getting out to the public. People need to know they can make a complaint if they have a complaint or being treated unfairly and they have a place to place their complaints. The black box is out there, no one knows about the black box. Is it for CP is it for complaints. She believes people should be able to bear arms, and she is not a NRA member. We need to bring back the respect that we had before for our families, our children and our communities. She believed that there should be more research on Ordinance 92-O-08 and how to handle it before the Council take action tonight, why don't we check out Mayor Dailey's plan where you pay some money our jails are too full as it is now. Thank you.

Perry Weinberg, 2509 Asbury Ave, has a dual role of living on the golf course and a volunteer board. He has been in his residence for 30 years. He was a bit concerned when the idea of parking came up. But he had his concerns addressed one by one and felt it was a win-win proposal. We do need additional revenue and he appreciates the Council's consideration in due time.

Maureen Posner, 1720 Maple Ave, is talking about the Trader Joe's plan. How long of an extension is being considered by the contractor? Is Trader Joe's trying to wait it out. Can we make sure the building will not be demolished until we are sure the new building will be erected? Safety is a major concern and traffic is already a problem not taking into consideration additional residents. Left turns in and out of this property are impossible. The whole building was about to be abandoned until the magic words "Trader Joe's" was uttered. Don't let the magic words blind you to all of the issues. Betty Ester, 2114 Darrow Ave, gave her respects to the Drummer family and told of her relationship with them. As a

rider of the CTA bus she has a problem with the proposed project. Emerson is becoming very compact. Has anyone ever talked to CTA or Northwestern about the impact this will have on ridership? She depends on the CTA bus to get around Evanston. Emerson Street is becoming a crowded street. There is a hazard that will be imposed on the riders that also slows down the bus routes. Thank you.

Jeanne Bishop, 832 Cherry, Winnetka, president of the Million Mom March. Most of their members live in Evanston and that's who she is speaking for and others who can't speak for themselves and they are the children. The City has been told you have to comply with Constitutional law. You should wait for the LCAV ordinance before you remove the protection from the gun laws. Thank you.

Nancy Ross, 815 Linden Ave., Wilmette, spoke on the golf course. She stated that the course is supported by two funds, private donation and fees from the golfers. The golf course cannot be maintained without funding. The proposal presented was done properly, neighbors were talked to and she asked for support of the proposal because she felt it would save a valuable resource for our community.

Thomas Mannard, 9435 Drake, Skokie, wanted to discuss the changing of the Weapons Ordinance the Council was considering. He wanted the Council to consider that Evanston is a City where this gun ordinance has been in place and has experienced very low rates of gun violence and gun death injury, and certainly bringing more guns into Evanston will lead to cost in other areas. The human cost increased risk of a handgun in the house being used as a suicide, unintentional, or even domestic quarrels just because the knowledge of the handgun is in the home. He asked the Council to consider the consequences of allowing more handguns to come into Evanston.

CITIZEN COMMENT: NON-AGENDA TOPICS

Carolyn Murray, 1930 Grey Ave, talked about the National Family Night Out. The community created a poll of non-violence in their community using various parts of the body to express their views on violence. She was asking to have the creation displayed in the City Hall. If anyone else wanted to add to it they were invited to add their creativity.

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: Professional Services for Clark Street Beach Restroom/Entry Drive and Dempster Street Non-Motorized Boat Storage; Ordinance 83-O-08 – Establish a Municipal Solid-Waste Franchise Service; Contract Award to Groot Recycling for MSW Franchise; Ordinance 76-O-08 – Authorize City Manager to Negotiate Sale of 425 Dempster St.; Ordinance 89-O-08 – Local Employment Program; Ordinance 91-O-08 – Amend City Code – “Weapons;” Ordinance 90-O-08 – Planned Development – 1890 Maple Ave and Approve Matching Fund Grant for Façade, Awning and Plaza Improvements – Bravo Restaurant. Seconded by Alderman Holmes.

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

ITEMS APPROVED ON CONSENT AGENDA

MINUTES:

* Approval of Minutes of the Regular City Council Meeting of July 28, 2008. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

ADMINISTRATION & PUBLIC WORKS:

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

City of Evanston payroll (through 08/07/08)	\$2,442,632.05
City of Evanston bills (through 08/12/08)	\$3,776,872.65

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

* Recommend approval of a contract with Harris Northstar, a division of Constellation Software, Inc. (1 Antares Dr.,

Ottawa, Ontario) to purchase and implement the Northstar utility billing and customer information system *CIS Infinity* in the total amount of \$552,905.30. (Purchase and implementation and first year's maintenance at \$407,361; support and maintenance for duration of five-year contract at \$145,544.30) Funded by CIP for purchase/implementation and funded by the Water Fund Operating Account for support/maintenance years two through five. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Consideration of a proposal from the Evanston Wilmette Golf Course Association (dba Frank Govern Memorial Golf Course, formerly Peter Jans) to park cars on holes number 9, 17 and 18 during the five daytime Northwestern University home football games. This will be a one-year pilot program and does not include parking for other activities/events. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of the sole-source purchase (an expansion of the current system) from L3 Communications (90 Fanny Rd., Boonton, NJ) of 11 Mobile Vision Digital Video Recording Systems, plus storage and 2 antennas for the Police Department squad cars, in the amount of \$69,774. Funded by the CIP Fund. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of the lowest responsible and responsive bid (09-33) for the 2008 CIPP Lining contract with Insituform Technologies, USA, Inc. (17988 Edison Ave., Chesterfield, MO) in the amount of \$287,015.90. Funded by Sewer Fund. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of funding modifications and change of project scope for the Police/Fire Headquarters 2nd floor interior project. Funded through a combination of the Police/Fire Headquarters Interior and Firing Range project accounts for a total of \$1,456,965. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of the lowest responsible and responsive bid (09-11) for the Police/Fire Headquarters partial 2nd floor renovation contract with Boller Construction Company, Inc. (3045 W. Washington St., Waukegan) in the amount of \$1,269,500. Funded by the CIP Fund. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Recommend approval of the lowest responsible and responsive bid (09-11) for the contract with Bay Environmental, Inc. (6124 N. Milwaukee Ave., Chicago) as the asbestos containing material (ACM) abatement contractor for the Police Headquarters partial 2nd floor rehabilitation project in the amount of \$24,470. Funded by the 2nd Floor Police Headquarters Rehabilitation CIP account. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Resolution 50-R-08 – Authorize the City Manager to Accept a Donation to Purchase a T3 Personal Electric Vehicle – Consideration of proposed Resolution 50-R-08, which authorizes the City Manager to execute an agreement with the Cherry Family Foundation for the donation of \$12,000 to be used for the purchase of a T3 Personal Electric vehicle. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 93-O-08 – Increase in the Number of Class B Liquor Licenses – Consideration of proposed Ordinance 93-O-08, which amends Section 3-5-6(B) of the City Code to increase the number of Class B liquor licenses from 16 to 17 due to the opening of Bravo Development, Inc. dba Bravo Cucina Italiana (1701 Maple Ave.). * MARKED INTRODUCED-CONSENT AGENDA

Alderman Hansen moved to suspend the Rules in order to adopt an ordinance at the same meeting at which it was introduced. The motion was seconded by Alderman Holmes. Voice vote, motion carried unanimously.

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

* Ordinance 94-O-08 Increase in the Number of Class C Liquor Licenses – Consideration of proposed Ordinance 94-O-08, which amends Section 3-5-6(C) of the City Code to increase the number of Class C liquor licenses from 23 to 24 due to the opening of Jamaica Jamaica LLC dba Jamaica Jamaica (1512 Sherman Ave.). * MARKED INTRODUCED-CONSENT AGENDA

* Ordinance 96-O-08 – Authorizes the City Manager to Execute a Contract for the Sale of City-Owned Property on the 700 Block of Chicago Avenue to Devco LLC - Consideration of proposed Ordinance 96-O-08, which authorizes the sale of City-owned property in the 700 block of Chicago Avenue to Evanston Devco (AMLI Development) for \$900,000. The parcel will be consolidated with two private parcels to the north for a private mixed-use redevelopment project. * MARKED INTRODUCED-CONSENT AGENDA

* Ordinance 97-O-08 – Amends Various Sections of the City Code to Decrease the Number of Days a Non-Aldermanic Compensation Committee Shall Submit a Report/Recommendation to the City Council Prior to the Next Municipal Election – Consideration of proposed Ordinance 97-O-08, which amends Sections 1-5-9(b), 1-6-10(b), 1-7-5(b) of the City Code to allow additional time for a compensation committee to perform a compensation study of all elected officials and prepare a report with recommendations prior to the next regularly scheduled municipal election. * MARKED INTRODUCED-CONSENT AGENDA

Alderman Hansen motioned for approval and seconded by Alderman Rainey.

Alderman Moran stated on his way to the meeting tonight he heard a piece on “Chicago Tonight” Channel 11 which centered on a debate regarding the General Assembly’s efforts to grant themselves raises. I would raise the issue if the City of Evanston is in a position to do this, and his personal inclination is to believe it is not the time to do this.

Alderman Bernstein was under the impression that we are under a mandate to do this every four years, whether or not an increase would happen or not. Our statute requires the formation of the committee.

Moran questioned Ms. Purze if we were mandated to do this every four years. She responded yes under certain sections of our ordinance, but she would check if it is statutory. Moran then withdrew his objection.

Mayor commented that it was not just us but also the trustees of the Township.

Mayor also commented that all of the members who were asked to serve on the Compensation Committee agreed, except one, and Dar was waiting to hear from her. So we are waiting for one to confirm the acceptance to be on the committee.

* Ordinance 84-O-08 – Sale of Surplus Property – Various Fleet Equipment and Vehicles – Consideration of proposed Ordinance 84-O-08, introduced July 28, 2008, which declares various equipment and vehicles as surplus property to be sold at public auction through Obenauf Internet Auction (118 N. Orchard St., Round Lake, IL). * ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 92-O-08 – Amends Title 8, Chapter 16 of the City Code, “Marijuana” – Consideration of proposed Ordinance 92-O-08, which amends various sections of Title 8, Chapter 16 of the City Code, “Marijuana” (8-16-2: Possession of Cannabis Prohibited and 8-16-3: Penalties or Disposition). The amendment was a proposed change to encompass prosecution of anyone within the city limits in possession of cannabis. * ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (8-0).

PLANNING & DEVELOPMENT:

* Ordinance 95-O-08 – Major Variation to Allow Open Parking in Front Yard – 1317 Livingston St. – Consideration of a recommendation from the Site Plan & Appearance Review Committee to approve a major variation to allow open parking in the front yard of 1317 Livingston St. * MARKED INTRODUCED-CONSENT AGENDA

Alderman Wollin motioned to have this marked for introduction, seconded by Alderman Holmes.

Alderman Tisdahl recused herself from this item because it is her daughter.

Mayor Morton stated if there were no objections she would mark the item as introduced.

* Motion for a One-Year Extension of Approved Planned Development at 959 Dobson Street – Consideration of a one-year retroactive extension of Approved Planned Development at 959 Dobson St., to March 1, 2009. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

HUMAN SERVICES COMMITTEE:

* Approval of July 2008 Township Monthly Bills – Consideration of a recommendation to approve the Township bills, payroll and medical payments for the month of July 2008 in the amount of \$106,084.43. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

APPOINTMENTS:

Mayor Morton asked for reappointment introduction of the following:

Penny Rotheiser 1717 Dobson St.	Arts Council
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Lynette Murphy 1420 Ridge Ave.	Library Board
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* APPROVED-CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES

ADMINISTRATION & PUBLIC WORKS:

Recommend approval of the professional services contract (RFP 09-06) with David Woodhouse Architect LLC (230 W. Superior, Chicago) in the amount of \$187,980 for the Clark Street Beach Restroom/Entry Drive and Dempster Street Non-Motorized Boat Storage Reconstruction Projects. Funded by the Capital Improvement Program fund.

Alderman Hansen moved approval of this item. Seconded by Alderman Holmes.

Alderman Moran: This particular item is to fund two particular projects, a new restroom at Clark Street and the reconfiguring the boat entrance. It's clear the project is for design not for the ultimate construction. He doesn't believe it is necessary and we can't really afford it. He'll be voting against it.

Roll call: Voting aye – Rainey, Hansen, Wollin, Wynne, Holmes: Voting nay – Moran, Tisdahl, Bernstein. Motion was carried (5-3). Approval had been granted.

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, introduced July 14, 2008, 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.

Alderman Hansen moved approval of Ordinance 83-O-08. Second by Alderman Holmes.

Alderman Bernstein wanted to know if there was a survey to the businesses. He spoke with the City Manager in Skokie and was told a solid waste franchise was working very well for them. Alderman Hansen stated that 1,700 postcards in the survey last July 2007 and only received 250 responses back.

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

Alderman Rainey wanted to congratulate the staff for the enormous research and presentations performed a great job.

Those who have a lower bill than the franchise will be given a three-period where their current cost will be frozen. Rental buildings will have recycling curbside service. The franchise is effective November 1, 2008 and implementation should be completed by March 2009.

Alderman Moran wanted to add to what Alderman Rainey had stated that it has a great track record that will give savings for the customers.

Recommend approval of a contract (RFP 08-61) with Groot Recycling & Waste Services (2500 Landmeier Rd., Elk Grove Village) to serve as the hauler for the Municipal Solid Waste Franchise. The contract will generate at least \$170,000 annually in administrative fees to the City and approximately \$20,000 in recycling rebates.

Alderman Hansen moved approval of this item. Seconded by Alderman Tisdahl.

Alderman Hansen stated she will be voting against this proposal. She has been arguing or trying to persuade Groot for their recycling schedules. Groot would park three and four of their trucks idling in the alleys and they just recently moved their trucks just a block away now after three years. If a City Council person or City Manager can not persuade them to comply, then how are they going to react once they have this franchise? This is why she was voting no.

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

The Mayor wanted to know how they will be monitored so what happened to Alderman Hansen would not reoccur. Alderman Moran was sorry for Hansen's problem, but his experience and those of others feel that Groot runs like a Swiss watch, and you could tell on the minute when they would be there and on time. The choice was hands down.

Ordinance 76-O-08 – Authorizes the City Manager to Negotiate the Sale of 425 Dempster St. and Authorizes the Publication of a Notice of Intent to Sell Certain Real Estate (Chiaravalle Montessori School) – Consideration of proposed Ordinance 76-O-08, which authorizes the City Manager to negotiate the sale of 425 Dempster St. and provide for a publication notice for a public hearing and other procedures in connection therewith.

Alderman Wynne asked to have the item taken off because there has been some miscommunication in the community that needs to be clarified. They have had many meetings to discuss the potential sale of the property. What we are doing tonight is introducing an ordinance authorizing the City Manager to begin negotiations, so there will be more opportunities for public comments at future meetings. District 65 doesn't have the funds to purchase the property and still has a long-term lease that probably has another 35 years to go. The Mayor marked this item as introduced.

Ordinance 89-O-08 – Local Employment Program – Consideration of proposed Ordinance 89-O-08, which requires general contractors and subcontractors to hire Evanston residents if certain thresholds are met.

Ordinance 91-O-08 – Amends Title 9, Chapter 8 of the City Code, "Weapons" – Consideration of proposed Ordinance 91-O-08, which amends Title 9, Chapter 8 of the City Code relating to weapons in a manner to conform with the U.S. Supreme Court decision and to strengthen its provisions against the unlawful use of firearms in the City of Evanston.

Alderman Hansen moved approval of Ordinance 91-O-08. The motion was seconded by Alderman Holmes.

Alderman Tisdahl proposed to amend the ordinance by having a statement the guns should be safely locked in the homes. Attorney Purze cautioned the Council on amending the ordinance, and that we could use similar language as in DC's statement. There is now a second case in DC that may cause some ripples and we should wait.

Alderman Tisdahl stated that she was sure they would receive flack from the NRA for having child safety locks required in Evanston, but she thinks they should do it anyway.

Alderman Bernstein said the only reason for which he will be voting for this tonight is because we are in a lawsuit and he finds the Supreme Court's decision repugnant. Because it is now the law, he proposed that we pass this ordinance to get from under this lawsuit; the City of Evanston will follow the law.

Alderman Moran asked Ms. Purze if the first lawsuit discussed DC's provision on trigger locks. She responded no, it is the second lawsuit. He has some concerns and we should proceed with caution. He also had some other amendments he wanted to propose.

Voice vote called the nay's won, so the ordinance was not approved.

Alderman Moran proposed to add a person convicted of a felony in the State of Illinois or any other jurisdiction.

Ms. Purze would caution again about redundancy of discussion of criminal charges should be prosecuted under state laws and not local or civil matters, but keep it under state laws.

Alderman Bernstein stated that without a FOID card you could not carry a gun anyway you can't own one.

Alderman Moran stated based on the information he gained from the discussion he was going to withdraw his proposal.

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

PLANNING & DEVELOPMENT:

Ordinance 90-O-08 – Amends the Planned Development for 1890 Maple Avenue - Consideration of proposed Ordinance 90-O-08, which amends the Planned Development for 1890 Maple Ave. (Ordinance 45-O-07) to permit a curb cut on Emerson Street to serve a new Trader Joe's Grocery, approves an extension of the Planned Development expiration date and addresses other changes.
Moved and seconded for introduction on the agenda for the next Council meeting August 11, 2008.

Alderman Wollin moved approval of Ordinance 90-O-08. Seconded by Alderman Bernstein.

Alderman Moran objected to this project in the past, he feels it not the correct project for that place. He is more concerned than before because if it goes through it will be a real problem for travel.

Roll call. Voting aye – Tisdahl, Rainey, Wollin, Wynne, Bernstein, Holmes. Voting nay – Moran, Hansen. Motion carried (6-2). Ordinance approved.

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.

OTHER COMMITTEES:

Motion to Approve Matching Grant Not to Exceed \$25,000 in Support of Façade, Awning and Plaza Improvements for the new Bravo Restaurant – Consideration of a recommendation from the Economic Development Committee and staff to approve a matching grant not to exceed \$25,000 in support of façade, awning and plaza improvements for the new Bravo restaurant located at NE corner of Church and Maple. Funded by the Downtown II TIF.

Alderman Moran moved approval of this item. Seconded by Alderman Rainey.

Alderman Moran opposed it in the Economic Development Committee and thinks there is no justification for this kind of payment. He wishes them the best, but they have enough money to cover their cost and we should hold onto the money.

Interim City Manager Russell stated that Bravo exactly spent \$700,000 in lease hold improvements, and several hundred thousand were unanticipated, and our conversation with them we talked about sharing of cost. We thought the only cost which was eligible was part of the exterior cost and so it was a joint agreement between staff and Bravo.

Alderman Moran felt that the Council should be the ones to approve items like this, he has no problem with staff discussing issues, but ultimately it is the Council who should make the final decision and not jump to approve because staff made some agreement.

Ms. Russell agreed that Alderman Moran was correct; our statement to Bravo was that after approval from City Council. So we made it very clear it was under City Council to approve or disapprove.

The Mayor stated that this vote was to approve a grant for this money.

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

CALL OF THE WARDS

6th Ward. Alderman Moran had nothing to report.

7th Ward. Alderman Tisdahl would like the Cherry Family Foundation and the Cherry Family for their donation to the Police Department it will help the police and it is also environmentally friendly.

8th Ward. Alderman Rainey reminded the people on Dobson between Asbury and Ashland, to be there to witness the very first (in the City of Evanston history) green alley project to the north of Dobson. It will be at Dobson Park at 7 p.m. Wednesday night.

1st Ward. Alderman Wollin had nothing to report.

3rd Ward. Alderman Wynne wanted to offer her condolences to Sharon Eckersall for the death of her son, and briefly talk about the hole on the corner of Main and Chicago. The owner has not been compliant but he has been cited.

4th Ward. Alderman Bernstein wanted to thank all the residents who came out for the National Night Out. What happened to the Belize picnic? Mayor answered and informed him that the Mayor (of Belize) could not come. What about the community picnic? Members responded it will happen on Wednesday.

5th Ward. Alderman Holmes expressed her condolences to Township Assessor, and to thank all the people who came out for the National Night Out -- it was a wonderful event. We must do something about violence in our communities and it will only happen when we speak out.

Mayor Morton made comment of the sweet young man, Sharon Eckersall's son, and how she had many a conversation with him. She feels Sharon's loss as a mother.

At 11:03 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:

Roll call: Alderman Moran, Bernstein, Rainey, Tisdahl, Holmes, Wollin, Wynne. Alderman Hansen left early.

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.

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 11:45 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.