

January 12, 2009

CITY COUNCIL

ROLL CALL – PRESENT:

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

PRESIDING:

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, January 26, 2009, at 9:10 p.m. in the Council Chamber.

MAYORAL ANNOUNCEMENTS: None.

CITY MANAGER ANNOUNCEMENTS:

COMMUNICATIONS - CITY CLERK:

CITIZEN COMMENT: AGENDA ITEMS

Judy Fiske, 2319 Sherman Ave, spoke on the extension requested by Smithfield Properties for the Kendall College planned development, and that the neighborhood was not informed of an extension request. She asked the Council to include some stipulations before granting the request which and the inclusion of the neighborhood in the discussions.

Susan Trieschmann, 2608 Noyes St. spoke on behalf of the “Evanston Restorative Justice Committee”, a community based volunteer organization. Ms. Trieschmann offered to speak at the Wards meetings.

Alderman Bernstein asked were they all volunteers and the answer was yes.

Betty Ester, 2114 Darrow Ave., wanted to give her thanks to Mayor Morton and Aldermen Moran, Hansen, Bernstein, and Tisdahl for the time and service they have given to the City.

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: A2 City of Evanston Bills through 01/13/09, P4 Ordinance 1-0-09, and P7 Ordinance 134-0-08 Amending section 5-2-5 of the City Code.

The motion was seconded by Alderman Jean-Baptiste.

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

ITEMS APPROVED ON CONSENT AGENDA

MINUTES:

* Approval of Minutes of the Regular City Council Meeting of December 8, 2008. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

ADMINISTRATION & PUBLIC WORKS:

* Approval, as recommended, City of Evanston payroll for the periods December 7 and December 21, 2008, and January 4, 2009 and City of Evanston bills through January 13, 2009, as authorized and charged to the proper accounts:

City of Evanston payroll (through 12/07/08)	\$2,253,735.57
City of Evanston payroll (through 12/21/08)	\$2,385,491.98

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City of Evanston payroll (through 01/04/09)	\$2,383,864.30
City of Evanston bills (through 01/13/09)	\$5,832,197.89

* Recommend approval of the professional services contract with EDAW Inc./CTE Joint Venture (303 E. Wacker Dr., Chicago) for Phase 2 Engineering Services for the Evanston Lakefront Corridor Reconstruction Project in the amount of \$143,706. Funded by the Capital Improvement Program (CIP), with \$55,706, and the Illinois Transportation Enhancement Program (ITEP) with \$88,000.

Alderman Moran stated the proposal was an extravagant expense. He was concerned about the cost radically altering of the Lakefront and how it would take away from its true beauty.

Alderman Wynne commented that this vote was only for the pedestrian pathway and that we have the money and a grant. The whole purpose of this vote is to make the path safer and easier to walk on.

Alderman Wollin commented that the committee had asked Mr. Gaynor before if this was just for the pathway, and he said yes. Alderman Wollin suggested that we call the vote and support the approval of this bill.

Alderman Moran didn't disagree with Aldermen Wollin and Wynne. He just didn't want the bill to come back and haunt the Council later.

Alderman Holmes directed Alderman Moran's attention to the sentence above that read it was for the bike and pedestrian pathway. She also brought up the concern of the washrooms.

Mayor Morton asked if the amount of money coming out of this years budget or next year.

City Manager Russell replied it was in this year's budget.

Mayor Morton wanted to be very clear of what the budget is actually showing, so the taxpayers will know what they have to be paying. She also wanted to know if there is a specified timeframe to spend the funds.

Mr. Gaynor gave an explanation that if they got the go ahead then they would move forward with the next phase.

Alderman Hansen expressed a concern about not having any funds funneling to Robert Crown instead of having everything earmarked for the Lakefront.

Alderman Moran motioned to have the proposal held until they can get a better understanding on the monetary expenditures. Aldermen Rainey and Holmes seconded.

The item was held until next meeting by request of 2 Aldermen.

* Recommend approval of Change Order #2 for the 2008 Water Main, Sewer and Street Improvement project (Bid #08-83) with Joel Kennedy Construction Corporation (P.O. Box 509, Gurnee, IL). This will decrease the contract amount by \$171,084.01 from \$2,554,044.10 to \$2,382,960.09. The Water Fund saves \$136,263.72, the Sewer Fund saves \$34,820.29 and the General Fund's allocation remains the same. * **APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)**

* Resolution 4-R-09 – Authorizes the Interim City Manager to sign a Local Agency Agreement for Federal Participation with IDOT for the Evanston Lakefront Corridor Reconstruction Project – Consideration of proposed Resolution 4-R-09, which authorizes the Interim City Manager to sign a Local Agency Agreement for federal participation with the Illinois Department of Transportation (IDOT) for the Evanston Lakefront Corridor Reconstruction Project. **Item held until next meeting requested by 2 Aldermen.**

* **Resolution 1-R-09 – Relating to Prevailing Wage for Public Works Projects** – Consideration of proposed Resolution 1-R-09, which is a prevailing wage requirement of the State of Illinois.

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

PLANNING & DEVELOPMENT:

* **Recommendation to Approve the Draft Downtown Plan as Revised by the Plan Commission.**

Sent back to P&D for the 1/22/09 meeting.

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* Ordinance 127-O-08 – Amends the Text of the Zoning Ordinance by Adding Section 6-15-15, “oWE West Evanston Overlay District” and Section 6-15-16, “WE1 West Evanston Transitional District” – Consideration of a Plan Commission recommendation for approval of text amendments to the Zoning Ordinance to add a new zoning district “WE1–West Evanston Transitional District” and a new overlay district “oWE–West Evanston Overlay District” to Chapter 15–Special Purpose and Overlay Districts.

* MARKED INTRODUCED-CONSENT AGENDA

* Ordinance 128-O-08 – Amends the Zoning Map to Re-zone Certain Properties Pursuant to the West Evanston Physical Planning and Urban Infill Design Master Plan – Consideration of a Plan Commission recommendation for approval of map amendments to change the base zoning district designations for several properties within the West Evanston Plan area as specified in the West Evanston Plan Zoning Implementation document, Base Zoning District Changes map and to designate properties currently within the West Evanston Plan area to be included in the oWE West Evanston Overlay District as specified in the West Evanston Plan Zoning Implementation document, West Evanston Zoning Overlay map. * MARKED INTRODUCED-CONSENT AGENDA

* Ordinance 1-O-09 – Amends the Zoning Map to Re-Zone the Properties at 912-946 Pitner Avenue from I2 Industrial District to MXE Mixed-Use Employment District – Consideration of proposed Ordinance 1-O-09, which amends the Zoning Map to re-zone the properties at 912-946 Pitner Ave. from I2 Industrial District to MXE Mixed-Use Employment District. **Item held until the next P&D meeting.**

* Ordinance 7-O-09 – Former Kendall College Site – Ordinance Removes Conditions on Extension of Planned Development – Consideration of a request from Smithfield Properties XXXII, LLC, property owner and applicant, to grant amendments to the planned development (85-O-06) to be constructed on the former site of Kendall College, located between Orrington Ave., Colfax St., Sherman Ave., and Lincoln St. These amendments will remove certain conditions. * MARKED INTRODUCED-CONSENT AGENDA

* Ordinance 133-O-08 – Amend Various Building, Zoning, Construction and Fire Service Fees – Consideration of proposed Ordinance 133-O-08, introduced December 8, 2008, which increases and restructures plan review and inspection fees for Building, Zoning and Fire Service fees. * ADOPTED – CONSENT AGENDA MOTION & ROLL CALL (9-0)

* Ordinance 134-O-08 – Amends Section 5-2-5 of City Code – Lodging Establishment License Fee – Consideration of proposed Ordinance 134-O-08, introduced December 8, 2008, which increases fees to raise rooming house fees from \$26.00 per roomer to \$36.00 per roomer to help cover the cost of the required annual inspection. **Item held over to the next next class.**

HUMAN SERVICES COMMITTEE:

* Acceptance of Township Annual Audit – Consideration of a recommendation that the City Council, acting as Township Trustees, accept the results of the year-ended March 31, 2008 Financial Audit of Evanston Township. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

* Approval of the December 2008 Township Monthly Bills – Approval of a recommendation that City Council approve the Township bills, payroll and medical payments for the month of December 2008 in the amount of \$76,157.27, which was amended per the Human Services Committee. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

* Ordinance 5-O-09 – Amends Sections 3-25-1 and 3-25-6 of the City Code to Permit “Now We’re Cooking” in the Farmers’ Market to be Permanent – Consideration of proposed Ordinance 5-O-09,

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which amends Sections 3-25-1 and 3-25-6 of the City Code to have “Now We’re Cooking” become a permanent event at the Farmers’ Market. * MARKED INTRODUCED-CONSENT AGENDA

OTHER COMMITTEES:

* Resolution 2-R-09 – Amends the 2007 and 2008 Community Development Block Grant (CDBG) Programs and Authorizes the Reallocation of Unexpended Funds – Consideration of proposed Resolution 2-R-09, which amends the 2007 and 2008 CDBG Programs and authorizes the reallocation of unexpended funds from those program years to the City’s FY 2009-10 CDBG Program.

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

* Resolution 3-R-09 – Approves the City’s 2009-10 One-Year Action Plan and Adopts the City’s FY 2009-10 CDBG, HOME Investment Partnerships and Emergency Shelter Grants Program Budgets – Consideration of proposed Resolution 3-R-09, which approves the City’s One-Year Action Plan for FY 2009-10 and adopts the City’s 2009-10 CDBG, HOME Investment Partnerships and Emergency Shelter Grants (ESG) program budgets totaling \$2,897,546 as recommended by the Housing & Community Development Act Committee. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (9-0)

REPORT OF THE STANDING COMMITTEES

ADMINISTRATION & PUBLIC WORKS: No report.

PLANNING & DEVELOPMENT: No report.

CALL OF THE WARDS:

1st Ward. Alderman Wollin No report

2nd Ward. Alderman Jean-Baptiste reminded everyone about the celebration for Dr. Martin Luther King Jr.

3rd Ward. Alderman Wynne No report.

4th Ward. Alderman Bernstein extended his best wishes and Happy New Year to all the families.

5th Ward. Alderman Holmes reported that there will be a program at Fleetwood-Jourdain Community Center for Dr. Martin Luther King.1/17/2009 from 3-5 celebrating the remembrance of King.

6th Ward. Alderman Moran congratulated the “Evanston Restorative Committee” for their volunteering for the community at large.

7th Ward. Alderman Tisdahl. No report/

8th Ward. Alderman Rainey congratulated the staff for the fantastic snow removal from the City,

9th Ward. Alderman Hansen expressed regret that she missed her opportunity to say good-bye to Michael Wheeler.

At 10:15 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

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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 Jean-Baptiste.

Roll call. Voting aye – Wollin, Jean-Baptiste, Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Hansen. 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.

Respectively submitted,
Rodney Greene
City Clerk

A DVD recording of this meeting has been made part of the Permanent Record and is available in the City Clerk's office.