

March 9, 2009

**CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
2<sup>ND</sup> FLOOR  
CIVIC CENTER**

**ROLL CALL – PRESENT:**

A Quorum was present.

Alderman Holmes  
Alderman Moran  
Alderman Tisdahl  
Alderman Rainey

Alderman Hansen  
Alderman Wollin  
Alderman Jean-Baptiste  
Alderman Wynne  
Alderman Bernstein

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, March 9, 2009, at 8:50 p.m. in the Council Chamber.

**MAYORAL ANNOUNCEMENTS:**

Mayor Morton mentioned the funeral services of Robert Culven a one time Sanitation worker for the City of Evanston. He had also come to her and asked for the day off for Martin Luther King for the employees during his employment. Many ex-sanitation workers were in attendance at the funeral including Judy Aiello former Assistant to the City Manager and Judy Wick Director of Human Resources.

**CITY MANAGER ANNOUNCEMENTS:**

Interim City Manager Rolanda Russell asked Ms. Suzette Eggleston to speak. She spoke on the Electronic Recycling event to be held from 10 am to 2pm at James Park this Saturday, March 14, 2009. All types of electronics from residential waste only can be deposited at the once known Recycling Center on Oakton. This community wide event is sponsored by the City of Evanston.

**COMMUNICATIONS - CITY CLERK:**

City Clerk Mr. Rodney Greene announced to the candidates to visit [www.voterinfonet.com](http://www.voterinfonet.com) to get their punch number online on March 11, 2009. Also early voting starts March 16 through April 2.

**CITIZEN COMMENT: AGENDA ITEMS**

Interim City Manager Rolanda Russell extended an apology to Mr. Kevin O'Connor for misunderstanding his request for a TIF meeting. She also informed him that Aldermen Rainey and Hansen agreed to hold that TIF meeting on March 18.

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Barbara Rakley – statement read by Hank Goldman concerning the 708 Church Street. She urged the Council to reject the developer's bad tactics.

James Wolinski, 2242 Lincolnwood Dr.- in favor of the 708 Church Street Project and that the positives outweigh the negatives. He liked the idea of them giving one million dollars for the Fountain Square. He commended the Council for holding back the property taxes on the residents. He also spoke on the King Project and how it kind of fell through. He stated if Trader Joe's does not want to come here, let's stop going to Trader Joe's.

Sharon Eckersall, 2519 Ashland spoke on the closing of the satellite Cook County Assessors Offices. She then addressed the behavior of the Council regarding her legal fees, and gave the Clerk Mr. Greene a letter that was notarized from Cherylette Hilton clearing Ms. Eckersall of the false allegations.

Kevin O'Connor 1227 ½ Isabella stated he is also a candidate for an Alderman's seat. He spoke against the 708 Church Street Development. The Council should request a posted bond to the developer to protect the citizens if they want to apply for an extension for their development. He urges the Council to act now and stop the sweetheart projects.

Judy Fiske 2319 Sherman and a candidate for the 1<sup>st</sup> Ward Alderman spoke of the 708 Church Street asking for a time extension of not 2 but 5 years. She stated it's not fair or legal since the City's law only allows a 1 year extension, and then the Developer has to come back and reapply. The Council should not bind the hands of the New Council that will be taking office very soon.

Jeanne Lindwall, 625 Library Place is also a candidate in the Mayoral race who felt that a 5 year extension is too long a wait for the developer. She believes we risk running a real ripple effect for a project that may not come to fruition. All amendments should be discussed and considered.

Mike Vasilko, 2728 Reese spoke against the 708 Church Street development and stated the Council should be listening to the constituents who they serve.

Robert Atkins 2005 Orrington spoke on the illegal closed session meeting the City had with the developer. He stated it was a flawed process from the beginning and now, this is not a minor amendment and justification for an extension is not worthy of the request. He wanted the Council to deny the extension or send it back to committee.

Carl Bova, 1322 Rosalie St. spoke on the parking spaces of the 708 Church Street Plan and that either the residents will not have enough parking spaces or the retailers would suffer. He believed that adequate planning for parking was not researched well enough.

Chris Hart 3038 Isabella a candidate for 6th Ward Alderman spoke on "Values Based Organizations" which are ideas that are built on our values and we should not leave the decisions of values to one development or one plan but on our values.

**CITIZEN COMMENT: NON-AGENDA ITEMS**

Junad Riski, 2767 Ridge spoke on candidates taking cash from Firefighters and other groups and having firefighters pass out literature for the candidates. He believes the money should be returned and also to restrict the involvement of the Firefighters in their campaigns. He suggested the candidates should obtain a book on business ethics that would aide them in their run for office. He stated machine politics are not acceptable.

Darnell Jefferson 2031 Church Street spoke on the lawsuit against Ms. Eckersall and stated he had no knowledge of the allegations as he was mentioned in the lawsuit as well.

**CONSENT AGENDA: Alderman Moran**

The consent Agenda was approved after Alderman Moran moved for its acceptance and 2<sup>nd</sup> by Alderman Rainey. All items were approved except the following: (A5) Resolution 14-R-09 Authorizing \$140,371 to Fund the Evanston Police Department Summer Operational Plan – 2009, (A6) Resolution 15-R-09 A Resolution Relating to Water and Sewer Rates, Capital and Revenue Opportunities for the Evanston Water Utility, (P1) Consideration of Federal Home Fund Request from Over The Rainbow Association for Rehab of Hill Arboretum, 2040 Brown, (P4) Ordinance 32-O-08 Planning and Development Committee Recommendation for a Map Amendment & Planned Development at 708 Church Street, (P5) Ordinance 17-O-09, An Ordinance Amending The Zoning Map and Granting a Special Use and Major Variations for a Private Educational Institution Located at 1200 Davis Street in the R4 General Residential Zoning District (“Roycemore”), and (H1) Approval of February 2009 Township Monthly Bills.

**ALL ITEMS (WITH \*) WAS APPROVED ON CONSENT AGENDA**

**MINUTES:**

- \* Approval of Minutes of the Regular City Council Meeting on February 23, 2009
- \* Approval of Minutes of the Special City Council Meeting on February 24, 2009

**ADMINISTRATION & PUBLIC WORKS:**

(A1) *City of Evanston payroll through		03/01/09	\$2,301,336.19
(A2) *City of Evanston bills (through 02/24/09)	FY08/09	03/09/09	\$1,486,158.25
	FY09/10	03/10/09	\$ 864,991.40

**(A3.1) \* Approval of City of Evanston Copier Machines and Maintenance Agreement (REP 09-17) with United Business Solutions**

**(A3.2) \* Approval of Lowest Responsive and Responsible Bid (09-57) for the Ladd Arboretum Improvements – Phase 1 Project**

(A3.3) \* Approval for Reporting Structure Change – Parking and Garage Funds

(A4) \* Resolution 12-R-09 Authorizing the Interim City Manager to Execute the City of Evanston – Northwestern University Letter Agreement for Road Salt (Sodium Chloride) Procurement and Administrative Costs (For Action)

(A7) \* Ordinance 15-O-09 Authorizing the Sale of Surplus Fleet Vehicles Owned by the City of Evanston (Obenauf Auction Service Municipal Equipment Auction) (For Introduction)

(A8) \* Ordinance 20-O-09 Decrease in the Number of Class R Liquor Licenses – Blind Faith Café (For Introduction)

(A9) \* Ordinance 21-O-09 Increase in the Number of Class C Liquor Licenses – Blind Faith Café (For Introduction)

(A10)\* Ordinance 2-O-09 Amending Title II, Section 2 of the Evanston City Code “Parking and Compliance Violations” (For Action)

(A11) \* Ordinance 18-O-09 Amending Subsection 3-2-14-2(A) Cigarette Tax: “Tax Imposed” (For Action)

## **PLANNING & DEVELOPMENT:**

(P3) \* Consideration of Request from Connections for The Homeless for FIT Funds (For Action)

(P6) \* Ordinance 134-O-08 Amending Section 5-2-5 of the City Code, Lodging Establishment “License Fees” (Remained tabled)

## **HUMAN SERVICES COMMITTEE**

### **OTHER COMMITTEES**

No Items

### **APPOINTMENTS**

For Reappointment Introduction:

Plan Commission

Coleen E. Burrus

## **ITEMS UNDER DISCUSSION FROM CONSENT AGENDA:**

### **Administration & Public Works (Alderman Wollin)**

(A5) **Resolution 14-R-09 Authorizing \$140,371 to Fund the Evanston Police Department Summer Operational Plan 2009** Alderman Wollin stated the Resolution was discussed in committee and decided to go ahead and grant the wish, but to have Chief Eddington to return with further details. Alderman Wollin moved for approval, 2<sup>nd</sup> by Alderman Rainey. Alderman Bernstein stated he would not be voting because his agency will be handling the case. ROLL Call: Voting Aye: Alderman Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin, Jean-Baptiste (Bernstein abstained).

**VOTE (Aye -8)**

**Voting Nay (0)**

**Abstain (1)**

(A6) **Resolution 15-R-09 A Resolution Relating to Water and Sewer Rates, Capital and Revenue Opportunities for the Evanston Water Utility** This item was discussed in committee to vote on the 1<sup>st</sup> part, and to hold the 2<sup>nd</sup> part and send back to committee. **VOICE VOTE** was unanimous. The Resolution was approved for part 1 & part 2 would go back to committee, after Alderman Wollin moved for approval and 2<sup>nd</sup> by Alderman Rainey.

### **Planning & Development (Alderman Moran)**

(P1) **Consideration of Federal Home Fund Request from Over the Rainbow Association for Rehab of Hill Arboretum, 2040 Brown** This item was discussed in committee and was decided to keep in committee until further discussions are achieved.

(P2) **Ordinance 19-O-09 Amending Re-inspection Fees for Rental Property** The Item was introduced and will be held in committee as well, with further discussions.

(P4) **Ordinance 32-O-08 Planning and Development Committee Recommendation for a Map Amendment & Planned Development at 708 Church Street** Alderman Moran asked for approval for an introduction of this item 2<sup>nd</sup> by Alderman Rainey and then he requested to speak on the item. He allowed Alderman Wynne to speak first and she stated she had 3 requests: 1) She had asked for a memo as to what bonuses the development would incur under the new plan but hadn't received one yet, 2) Asked for a copy of the Tracy Cross Report, and 3) She wanted a new financial report describing the impact this 5 year extension would have. Also she wanted to know what the City requires for parking requirement for new retail Stores? Alderman Moran had numerous amendments to be added to the language of the Ordinance section 5 (E) page 7. He requested to have the following words deleted "**retail and second floor office, and mix of, and office**". Alderman Moran moved for acceptance and 2<sup>nd</sup> by Alderman Rainey. Alderman Wynne asked why was the first floor changed from office to Retail space and she opposes this change. A number of Aldermen had responses to Alderman Moran's proposed amendments including the Mayor. Alderman Bernstein then asked how much retail space we have today on the first floor of the proposed project. **Voice vote taken, then ROLL CALL:** Voting Aye: Alderman Holmes, Moran, Rainey, Hansen, Wollin, Jean-Baptiste, Voting nay: Alderman Tisdahl, Wynne, Bernstein. **Vote was (6-3).** The ayes have it the amendment was approved. Alderman Moran had an amendment for section 7 (D) to read as follows: "**The applicant shall construct a four (4) – story base on the Subject Property and include one (1) level of retail at grade**". Alderman Tisdahl asked for staff to do a study of the economic impact in this decision. Alderman Wynne felt the Council should wait and see what the developer is actually saying. It is altering the proposal drastically, and she suggested the Council need more information to make a decision.

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Alderman Moran urged the Council to vote positive to move the project forward. Introductory **Roll Call vote was (6 – 3)**. Voting Aye: Alderman Holmes, Moran, Rainey, Hansen, Wollin, Jean-Baptiste, Voting Nay: Alderman Tisdahl, Wynne, Bernstein. Alderman Moran then moved to introduce (P4) with the amendments as a whole, 2<sup>nd</sup> by Alderman Rainey, voice vote the ayes were in majority motion for introduction was approved.

(P5) **Ordinance 17-O-09, An Ordinance Amending the Zoning Map and Granting a Special Use and Major Variations for a Private Educational Institution Located at 1200 Davis Street in the R4 General Residential Zoning District (“Roycemore”)** Alderman Moran moved for approval with the amendments and 2<sup>nd</sup> by Alderman Rainey. **Voice vote was unanimous.**

## **HUMAN SERVICES COMMITTEE**

### **(H1) Approval of February 2009 Township Monthly Bills**

Alderman Holmes moved acceptance of the Township monthly bills, and was 2<sup>nd</sup> by Alderman Rainey. Alderman Bernstein wanted to know if the monies for the lawsuits were excluded, before he would approve it. Voice vote to accept the Township monthly bills only, was unanimous.

## **CALL OF THE WARDS:**

5th Ward No report

6th Ward No report

7<sup>th</sup> Ward No phone service

8th Ward Alderman Rainey spoke about the art display on 3/11/09 at Custer Overpass, and the Brummel Park Mural that was painted on a piece of plywood. The artist agreed to repaint it on a stationary structure. Finally she informed and invited everyone to the TIF Workshop she and Alderman Hansen will be offering on 3/18/09 at 7pm at the Levy Center.

9th Ward Alderman Hansen spoke of the shooting in her ward in January, and the best ward meeting she has ever had with all ethnic backgrounds coming together to solve the issues without any anger.

1st Ward Alderman Wollin mentioned a meeting on 3/12/09 concerning PAC contributions and that they are all legal.

2<sup>nd</sup> Ward Alderman Jean-Baptiste talked about how it was when he became an Alderman for the first time.

3rd Ward Alderman Wynne had a similar memory as Alderman Jean-Baptiste and she too was thankful for the Council’s tough decision not going to her as a new comer.

4th Ward Alderman Bernstein mentioned that Skokie was not bagging grass clippings. He also mentioned that William Jackson will serve as judge for the remaining term of a retiring judge.

Mayor Morton asked for Alderman Bernstein to offer a motion to retire into Closed Session.

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At 11:15 p.m. Alderman Bernstein moved to convene into Executive Session to discuss Litigation, Real Estate, and Personnel pursuant to 5 Illinois Compiled Statutes 120/2 (c) (1) (5), (6) 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.

(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.

(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.

**Roll Call:** Voting Aye: Alderman Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin, Jean-Baptiste, Wynne, Bernstein (9 – 0).

Respectfully submitted,  
Rodney Greene, City Clerk

**A CD recording of this meeting has been made part of the Permanent Record and is available in the City Clerk's office room 1200.**