

April 14, 2009

**CITY COUNCIL
MEETING
COUNCIL CHAMBERS, 2ND FLOOR
CIVIC CENTER**

ROLL CALL – PRESENT:

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

PRESIDING: Mayor Lorraine H. Morton

The Official Regular Meeting of the City Council was called to order by Mayor Morton on Tuesday, April 14, 2009, at 8:51 p.m. in the Council Chamber. The Mayor then announced that tonight's meeting will be handled a little different. There will be a special presentation and for the Council members to witness it we will have a roll call to officially open the session and then we will recess and allow the Township meeting to take its course until completion. Then we will reconvene and continue the business of the Council with citizen comments as well. Mayor Morton called for a roll call and all were present.

The Mayor turned the microphone over to the Interim City Manager, who then asked Chief Berkowsky to come to the podium. The Chief then invited Alderman Rainey to assist him with the presentations. Alderman Rainey then gave the story of the incident that brought these two girls to the Civic Center.

The two girls who were honored for their caring act of kindness to a gentleman in need of help in Brummel Park, which occurred on March 23, 2009 at 5:30 p.m. Latoyoa and Kiera noticed a man walking his dog when he collapsed in the park. They went up to the man and asked if he was okay but he was unresponsive. They called 911 on their cell phone and alerted them of the incident, with precise location. Chief Berkowsky gave each a plaque and a gift. Latoyoa Dianna Newman is 13 years of age and a student at Chute, and Kiera Thomas an 11-year-old student at Algonquin Middle School in Des Plaines, both gave short statements of their appreciation for receiving the acknowledgement. The two girls received a standing ovation from the Council as well as the audience and family members.

The Mayor then turned the meeting over to the Clerk.

The Council reconvened at 9:35 p.m. and the Mayor announced she had some proclamations to present.

PROCLAMATION

Mayor Morton proclaimed the following proclamations:

National Library Week April 12 -18, 2009

April Youth Employment Month for the summer of 2009

Fair Housing Month, April 2009

National Volunteer Week April 19 – 25, 2009

CITY MANAGER ANNOUNCEMENTS:

Interim City Manager Rolanda Russell stated she had one presentation concerning the Evanston Multi-Modal Transportation Plan, and called Mr. Paul Schneider, Director of Transportation/City Engineer to speak on the plan. Mr. Schneider stated the plan had been completed and all they are looking for now is guidance when available funding arises, the plan is designed to identify disconnects in the transportation system and to develop strategies to make modal connections. The plan provides recommendations on policies, programs, infrastructure improvements and future study for pedestrians, bicycle, transit, parking, and roadway, bridges, and alleys.

Public involvement was an integral part of the plan, by assisting the City with comments and input for the overall transportation vision and goals and prioritizing the necessary improvements. They had three public workshops: the first was at the Evanston Civic Center on April 10, 2008, where an overview of the planning process was initiated, the second workshop occurred on October 1, 2008 also at the Civic Center to gain an understanding of the community's priorities, and the third occurred on February 17, 2009 with a short presentation on the Plan.

Their Focus Groups (seven) were established for specific subject areas to provide feedback on the Plan and guide the development of the various modes. They also established a Policy Committee and a Technical Committee. These committees were to provide guidance and recommendations for the completion of the Plan. The recommendations that came from the two committees were to have the plan accepted to allow the development of annual programs, grant applications, and policy changes. Some of the policy and programs changes will come back to the Council for review and approval including specific projects.

COMMUNICATIONS CITY CLERK:

No announcements Madame Mayor.

CITIZEN COMMENT: AGENDA ITEMS

Jeff Smith 2724 Harrison, speaking on P4 stated residents some times have something to say, and you don't have to pay us consultant fees, they live in the turf, they have eyes and ears and so do the residents. If you had listened to some of our suggestions we may not have the problems we are facing now. He hoped in the future the Council will listen more to the residents.

CITIZEN COMMENT: NON-AGENDA ITEMS

Kevin O'Connor 1227 1/2 Isabella, commented on the election process and also directed his remarks to Alderman Tisdahl and the Council concerning the businesses in the Evanston area. He suggested that the new Council initiate their own in-depth study of the concerns of the businesses as he did. He stated the wealthy and the connected can always buy their way and keep out those who are not connected or financially able. He also talked about the poor turnout for the election, but the voters have spoken and he will abide by their decision. He motioned to have the Council face reality, but he felt he would not get a second.

Sharon Eckersall 2519 Ashland, began speaking on the Election of 2009 how unfair the system was along with the dirty politics that started long before the elections especially towards her. She also spoke how heartless the Council has been towards her. She also reported on the three police cars that showed up at her office for throwing out files, and was told not to leave until Alderman Bernstein arrived along with the newly elected Assessor, and could the machine wait until her term was up January 1, 2010. She suggested we need experienced candidates in office instead of puppets.

Nick Smith 1024 Mulford, talked about sticker shock and his experience since he moved to Evanston, and was told by his neighbor it's the first of many with his first parking ticket. His property tax has doubled even more so than what he was paying in Washington, D.C. He also mentioned all of the increases in all of the aspects of the Evanston commerce. He has been living here for five months, and he has not had anything but sticker shock since moving here and hoped that businesses will start taking over all of the empty spaces that exist here now.

The Mayor told him she was glad he came to Evanston and to stay awhile and things will change, and she explained that our taxes are assessed from the County and not the City.

CONSENT AGENDA

Alderman Moran moved for Council approval of the Consent Agenda with these exceptions:

(A3.4) Approval of the Proposed 2009/10 Cultural Fund Program Awards

(P1) Foreclosure Prevention Strategy for HOME-Assisted Development at 241 Callan

(P3) Ordinance 30-O-09, Amending the Amended Planned Development Ordinance for 1890 Maple Development Proposal

(H1) Approval of March 2009 Township Monthly Bills
Roll call 9-0. (Consent Agenda approved)

ITEMS APPROVED ON CONSENT AGENDA (WILL HAVE AN *)

MINUTES:

* Approval of Minutes of the Regular City Council Meeting of March 23, 2009.

ADMINISTRATION & PUBLIC WORKS:

* City of Evanston payroll through	04/02/09	\$2,342,568.65
* City of Evanston bills through	FY 09, 04/14/09	\$1,498,196.10
	FY 10, 04/15/09	\$2,949,995.45

(A3.1) * **Approval of the First Year Optional renewal of the Contract with CPS Parking for Management and Operation of the Three Downtown Evanston Parking Facilities**

(A3.2) * **Approval of of Lowest Responsible and Responsive Bid (09-65) for 2009 CIPP Sewer Rehabilitation Contract**

(A3.3) * **Approval of Northwestern Illinois Public Safety Training Academy (NIPSTA) Membership Renewal**

(A3.5) * **Approval of Purchase of Trees for Spring Planting**

(A3.6) * **Approval of Purchase Four Replacement Vehicles for the E.P.D.**

(A3.7) * **Approval of Recommendation from the Public Art Committee for the Creation of Sixteen Temporary Mural Art Projects**

(A 4) * **Resolution 9R-09 Establishing the City's Identity Theft Prevention Program**

(A5) * **Resolution 19-R-09 Authorizing Extension of a License to Comcast, Allowing Maintenance of a Building and Fence in the Public Right-of-Way of Mulford Street and Park Land in James Park**

(A6) * **Ordinance 9-O-09 for Proposed Paving of the Alley North of Leonard, East of Asbury, West of Bryant Avenue, Special Assessment Alley 1497**
(FOR INTRODUCTION)

(A7) * **Ordinance 10-O-09 for Proposed paving of the Alley North of Madison Place, East of Pitner Avenue, Special Assessment Alley 1499**
(FOR INTRODUCTION)

- (A8) * Ordinance 12-O-09 for Proposed Paving of Alley North of Greenwood Street, East of Brown Avenue, Special Assessment Alley 1501 (FOR INTRODUCTION)
- (A9) * Ordinance 24-O-09 for Proposed Paving of Alley North of Thayer Street, East of Marcy Avenue, Special Assessment Alley 1503 (FOR INTRODUCTION)
- (A10) * Ordinance 26-O-09 Authorizing the Sale of Surplus Fleet Vehicles Owned by the City of Evanston (FOR INTRODUCTION)
- (A11) * Ordinance 28-O-09 Liquor Liability Insurance Requirements (FOR INTRODUCTION)
- (A12) * Ordinance 29-O-09 Alcohol Awareness Training (FOR INTRODUCTION)
- (A13) * Ordinance 27-O-09 Decrease in Number of Class C Liquor Licenses – Café Luciano & Pizzeria (FOR ACTION)

PLANNING AND DEVELOPMENT

- (P2) * Ordinance 19-O-09 Amending the City Code to Authorize Re-Inspection Fees for Rental Property (FOR ACTION)
- (P4) * Consideration of a Request for an Extension to the Expiration for the 1700-1722 Central Street Approved Planned Development to June 30, 2012 to obtain a Building Permit (FOR ACTION)
- (P5) * Resolution 22-R-09, Affirming City Willingness to Establish a Complete Count Committee in Cooperation with U.S. Census Bureau (FOR ACTION)
- (P6) * Resolution 21-R-09 Reserving \$6,831,250 of Bond Volume Cap Allocation for year 2009 for Single-Family Housing and Industrial/Commercial Revenue Bond Program (FOR ACTION)
- (P7) * Sidewalk Café for Type 1 Restaurant – The Zoba Noodle Bar (FOR ACTION)
- (P8) * Consideration of Recommendation Funding of \$3,000 to Lakeside C.D.C. for Three Condominium Workshops (FOR ACTION)
- (P9) * Ordinance 134-O-08 Amending Section 5-2-5 of the City Code, Lodging Establishment “License Fees”
(Remained Tabled pending Legal Opinion and Staff Research)

HUMAN SERVICES COMMITTEE

OTHER COMMITTEES

(O1) * Consideration of Recommendation by the Economic Development Committee to authorize the payment of \$50,000 to LSL Industries with Proceeds from the West Evanston TIF District #6 Fund Balance, for Assistance in Contamination Remediation and Enabling the Opening of a New Hospital Disposable Medical Devices Assembly and Distribution Branch in the Vacant Property located at 2025 Dempster Street
(FOR ACTION)

(O2) * Consideration of Recommendation by the Economic Development Committee to Authorize the Payment of \$30,000 to Evanston Community Development Corporation (ECDC) with Proceeds from the West Evanston TIF District #6 Increment Fund Balance to Support the ECDC Business Assistance Programs Designed for Economic Development and Promote Entrepreneurship in the West Evanston Community.
(FOR ACTION)

APPOINTMENTS

AGENDA ITEM FOR DISCUSSION:

Before Alderman Wollin proceeded, the Mayor spoke on the Ordinance for “Dram” Insurance stating it was already a State law, but staff felt it was necessary to create an ordinance for Evanston. Also she relayed to the Council the gentleman who had been awarded the LSL funding to help him to get into Evanston, and his employees are not the highest paid but he felt he could be successful in Evanston. He had gone to CEDA seeking funds and the Mayor said she would inform CEDA that Evanston is doing its best to assist the gentleman to carry on his business.

(A3.4) Approval of the Proposed 2009/10 Cultural Fund Program Awards

Alderman Wollin moved for approval and seconded by Alderman Rainey. Alderman Tisdahl felt that this is an inappropriate funding the City can not afford this year, and we should spend the States money and not the City’s. Alderman Rainey then asked if Alderman Tisdahl if she wanted them to return the allocations they have budgeted, and she said yes. Alderman Rainey stated she wasn’t qualified to do that, and Alderman Tisdahl stated she wasn’t either but she would like to see them spend the States monies and not spend any of ours. Her motion was to send it back for them for reallocation. Mayor Morton called for a voice vote to amend the proposal and the ayes were 8, and the nay was 1. Amendment failed. Alderman Rainey then spoke that this was not the right time for this to happen and reminded Mayor-elect Tisdahl to not let this be a last minute action during her early term of office. Alderman Jean-Baptiste stated the best time to do this is during the budget process. Then a roll call was taken on the original proposal with 8 – 1. Alderman Tisdahl voted nay. **Proposal was approved.**

(P1) Foreclosure Prevention Strategy for HOME-Assisted Development at 241 Callan

Alderman Moran moved to have approval with an additional condition that the Developer would meet all current outstanding obligations to the City would including property taxes and a progress report be given to the Planning & Development Committee of leasing up the property within sixty days; second from Alderman Hansen. Voice vote on the amended item was unanimous. Then a roll call for the original proposal with the amendment was (8 -1). Voting nay Alderman Tisdahl.

(P3) Ordinance 30-O-09, Amending the Amended Planned Development Ordinance for 1890 Maple Development Proposal (FOR INTRODUCTION)

Alderman Moran moved for approval with a second by Alderman Holmes. In Committee there was a five to three vote to take it off consent agenda. Alderman Hansen asked for a roll call, (6-3 vote) voting aye: Aldermen Tisdahl, Rainey, Wollin, Jean-Baptiste, Bernstein, Holmes, voting nay: Aldermen Hansen, Wynne, Moran. **(motion was approved)**

(H1) Approval of March 2009 Township Monthly Bills

Alderman Holmes moved for approval with an amended amount of \$65,595.45 with a second from Alderman Wynne. Alderman Bernstein wanted to reduce the amount even further with an additional reduction of \$744.32 and seconded by Alderman Rainey. The amount is for Office Depot supplies. The final bill is \$64,851.13. Mayor Morton called for a voice vote which was unanimous for approval of the dollar amount change.

ADMINISTRATION & PUBLIC WORKS: NO REPORT.

PLANNING & DEVELOPMENT: NO REPORT.

Mayor Morton stated her concern about the Inauguration of the new Council and wanted the Council members to make their statements now since they were rather lengthy at the last one, so that the families and friends would not have to wait until 11 p.m. to socialize.

CALL OF THE WARDS:

7th Ward. Alderman Tisdahl thanked the voters for coming out in the election to vote.

8th Ward. No report

9th Ward. Alderman Hansen is having her last meeting on April 16th, 7 p.m. at the Levy Center. Everyone is welcomed to come.

1st Ward. Alderman Wollin wanted to mention the passing of Judith who served in the Library during the intellectual freedom area.

2nd Ward. Jean-Baptiste has not written his speech and cannot present it tonight. No report.

3rd Ward. Alderman Wynne had not prepared her speech and has no report.

4th Ward. Alderman Bernstein stated he had not prepared his speech either. He congratulated the newly elected officials and all who ran as well, and told Mr. Smith to hold on it is a process in motion. He also mentioned the passing of one of his constituent Mr. Morris Coin who devoted his life to his disabled son. He then congratulated Kiera and Latoya the heroes of the hour. He also then stated his concern for the Assessors Office.

5th Ward. Alderman Holmes thanked those who came out and re-elected her. She mentioned the unusual election and her lack of knowledge of the “machine” that has been mentioned. She then announced the next ward meeting this Thursday at the Fleetwood-Jourdain Center.

6th Ward. Alderman Moran wanted to bring to the attention to read the report concerning what the Library is doing and the great good for all the staff members that are involved in. He also made mention of the article stated how Evanston is a great place for start up businesses.

Mayor Morton stated her concern for the lateness of the new Township Assessor going into office on January 1, 2010. She asked the Interim City Manager to have Legal staff look into what could be done to allow the new Assessor to take office on May 11 with other elected officials.

At 11:00 p.m. Alderman Bernstein moved to convene into Executive Session to discuss matters related to real estate litigation, and personnel pursuant to 5 Illinois Compiled Statutes 120/2 (c) (1) (5), (6) and (11) as follows:

2. All meetings of public bodies shall be public meetings except for the following:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

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

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

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

Seconded by Alderman Jean-Baptiste.

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

Respectfully 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.