



**CITY COUNCIL
MEETING
COUNCIL CHAMBERS, 2ND FLOOR
LORRAINE H. MORTON CIVIC CENTER**

ROLL CALL – PRESENT:

	Alderman Fiske	Alderman Tendam
	Alderman Wynne	Alderman Grover
A Quorum was present.	Alderman Wilson	Alderman Rainey
	Alderman Holmes	Alderman Burrus

ABSENT: Alderman Jean-Baptiste

PRESIDING: Mayor Elizabeth B. Tisdahl

The Official Regular Meeting of the City Council was called to order by Mayor Tisdahl on Tuesday, May 26, 2009, at 8:50 p.m. in the Council Chamber.

MAYOR PUBLIC ANNOUNCEMENTS:

Mayor Tisdahl announced how proud she was to have the 2009 Preservation and Design Awards Presentations to recognize the winners for their exceptional work this year. She then invited the presenters to come forward, and she too was invited to come and participate in the presentations.

2009 Preservation and Design Awards Presentation

Presenter Mr. Stewart Cramer

950 Sheridan Rd. (Adaptive Reuse)

2834 Central Street (Adaptive Reuse)

1318 Forest (Sensitive Addition/Alternative)

2815 Garrison (Sensitive Addition/Alternative)

638 Michigan Avenue (Sensitive Addition/Restoration)

913 Monroe (Sensitive Addition/Alteration)

1138 Judson Avenue (Sensitive Alteration/Addition)

133 Dempster (Proper Rehabilitation/Sensitive Alteration)

1307 – 1313 Ridge Avenue (Proper Rehabilitation/Sensitive Addition)

2424 Lincoln (Proper Rehabilitation/Rehabilitation)

1905 Sheridan Road Annie May Swift Hall (“Project of the Year” named after Margery B. Perkins Historic Preservation Award)

CITY MANAGER ANNOUNCEMENTS:

Chief Berkowsky invited the Mayor and Tom Janetske, Division Chief, Fire Prevention and Emergency Preparedness to come to the podium while he called the names of the graduates of CERT 4 to receive their certifications. These volunteers come from all over the City, and in 2008 alone they have donated 5,700 hours of time.

Mr. Dave Stoneback came up to the podium to recognize his staff for the outstanding Water Inspection Quality Testing Award, which was a 0% tolerance.

COMMUNICATIONS CITY CLERK:

The City Clerk, Mr. Rodney Greene read the Certificate of Election for the duly elected officials of the Consolidated Election, on the 7th day of April, 2009. These certificates came from the office of David Orr, Cook County Clerk, who signed and sealed the certificates on the 28th day of April, 2009. Each elected official received a certificate with their name and office inscribed on it.

CITIZEN COMMENT: NON-AGENDA ITEMS

Kevin O'Connor, 1227 ½ Isabella, former candidate for Alderman complimented the TIF workshop organizers and said it was a success and hoped that it would lead to constructive dialogue with the next Council.

Junad Rizki, 2767 Ridge, commented regarding the budget and City's financial situation.

CONSENT AGENDA

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

(A4) Ordinance 36-O-09 Special One Day Liquor Licenses Consideration of proposed ordinance 36-O-09 to amend the City Code by modifying 3-5-6 (F) to increase the number of special one day liquor licenses issued to a sales address or applicant; extend the hours of sale; remove the requirement of food and require BASSET training.

(A5) Ordinance 11-O-09 Proposed Paving of the Alley North of Payne Street, East of Hartrey Avenue Special Assessment Alley

Consideration of the proposed ordinance 11-O-09 by which City Council would authorize paving of the alley north of Payne Street, east of Hartrey Avenue through the Special Assessment Process.

(H1) Ordinance 31-O-09 Amending Chapter 8 of the Evanston City Code "Food Service and Retail Food Store Sanitation," Adding "Seasonal Food Establishments"

Consideration of proposed ordinance 31-O-09 amending Chapter 8 of the Evanston City Code "Food Service and Retail Food Store Sanitation," adding "Seasonal Food Establishments." The amendment will assist in the tracking of food vendors operating at a venue (Farmers Markets, Northwestern Athletic Events, and Lakeshore Summer Food Vendors etc.) for six months or less and provide a means to prevent food borne illness. Seasonal food establishments will be charged a fee of \$225.00 to cover inspection services and application reviews by city staff.

For Introduction

Roll Call: Voting aye – Aldermen Fiske, Wynne, Wilson, Holmes, Tendam, Grover, Rainey, Burrus. Voting nay: None. Motion carried (8-0)

ITEMS APPROVED ON CONSENT AGENDA (WILL HAVE AN *)

CONSENT AGENDA

(M1)* Approval of Minutes of the Regular City Council Meeting of May 11, 2009

ADMINISTRATION & PUBLIC WORKS

(A1)* City of Evanston Payroll through 05/14/2009 \$2,280,915.41

(A2)* City of Evanston Bills through 05/27/2009 \$3,658,307.50

(A3.1)* **Approval of a Contract for Construction Engineering Services for Lake Street & Sheridan Road Improvement Projects (RFP 10-24)**

Recommend approval of a contract for the Construction Engineering Services for Lake Street & Sheridan Road Street Improvement Projects with ESI Consultants Ltd. (1979 N. Mill St., Naperville) in the amount of \$291,880. Funding provided by the CIP Street Resurfacing Fund.

(A3.2)* **Approval of a Contract for Engineering Services for the Evanston Water Utility Filters 19-24 Rehabilitation Study (RFQ 09-56)**

Recommend approval of a contract for the Engineering Services for the Evanston Water Utility Filters 19-24 Rehabilitation Study with CDM (125 S. Wacker Dr., Chicago) in the amount of \$46,948. Funding provided by the Water Fund.

(A3.3)* **Approval of Lowest Responsible and Responsive Bid (10-19) for Purchase of Water Meters and Meter Reading Equipment Contract**

Recommend award of the lowest, responsive, and responsible bid (10-19) for the base bid of the Water Meter and Meter Reading Equipment Contract to Badger Meter, Inc. (4545 W. Brown Deer Rd., Milwaukee) in the amount of \$79,989. Funding for this two year contract provided by the Water Fund (in the amount of \$39,994.50 in FY 09-10 and \$39,994.50 in FY 10-11).

(A3.4)* **Approval of Lowest Responsible and Responsive Bid (10-20) for Purchase of 2009 Granular Materials Contract**

Recommend approval of the lowest, responsive, and responsible bid (10-20) for 2009 Granular Materials Contract to G&L Contractors, Inc. (7401 N. St. Louis, Skokie) in the amount of \$51,370. Funded by the Water Fund (in the amount of \$18,000) and the Sewer Fund (in the amount of \$33,370).

(A3.5)*Approval of Lowest Responsible and Responsive Bid (10-26)for Purchase of Tires and Tubes

Recommend approval of the lowest responsive and responsible bid (10-26) for tires and tubes to Wentworth Tire Service (300 N. York Rd., Bensenville) in the amount of \$99,213 for the period of June 1, 2009 through May 31, 2010. Funding provided by the Fleet Services Fund for Major Maintenance.

(A3.6)*Approval of Maintenance Plan Agreement for Sherman Plaza

Recommend approval of Maintenance Plan Agreement for Sherman Plaza with MB Evanston Sherman, LLC and the Residents of Sherman Plaza Condominium Association. The City's share of the total cost not-to-exceed \$115,000. The agreement will be from August 23, 2009 through August 22, 2010. Funding provided by TIF Funds.

A3.7)*Approval to Purchase Three Replacement Vehicles

Recommend approval to purchase three replacement vehicles through Northwest Municipal Conference bids. One (1) Ford F-250 pick-up truck with plow for \$25,736.65, one (1) Ford F-150 pick-up truck with Club Cab for \$25,495.65 and one (1) Ford Escape for \$17,161.65. The three vehicles will be purchased from Currie Motors (9423 W. Lincoln Hwy., Frankfort, IL) for a total of \$68,393.35. The three vehicles will be assigned to: Water Department, Office of Emergency Management and Facilities Management respectively. Funding provided by the Fleet Capital Outlay Budget.

(A3.8)*Approval of Single Source Purchase of Three Year Building Automation System Maintenance Agreement at City-Owned Buildings

Recommend approval of the purchase of a three year maintenance agreement with ITG Solutions, Inc. (17475 Palmer Blvd., Homewood, IL) in the amount of \$22,713 for the first year for the provision of software and equipment maintenance to City Building Automation Systems. Funding provided by Facilities Management Account.

PLANNING & DEVELOPMENT

(P1)*Consideration of a First-time Application for a Sidewalk Café Permit for Type 1 Restaurant

Consideration to approve a first-time application for a sidewalk café permit for Dozika Restaurant (601 Dempster St., Evanston).

For Action

HUMAN SERVICES COMMITTEE

OTHER COMMITTEES

- (O1)* **Review and Approval of the 2008/09 Consolidated Annual Performance and Evaluation Report**
Consideration of recommendation to approve the Consolidated Annual Performance and Evaluation Report (CAPER) on CDBG, HOME and ESG programs for Fiscal Year 2008/09 for submission to HUD.
For Action
- (O2)* **Resolution 39-R-09 Approving a Substantial Amendment to the City's Adopted FY2008/09 One Year Action Plan**
Consideration of a proposed resolution 39-R-09 approving a substantial amendment to its approved One Year Action Plan. The City is eligible to receive \$523,828 in additional Community Development Block Grant (CDBG) funds appropriated by the American Recovery and Reinvestment Act. Application for CDBG-R funds requires the City to submit a substantial amendment to its One Year Action plan by June 5, 2009.
For Action
- (O3)* **Resolution 43-R-09 Amending Rule 9.3 and 9.6 of the Rules of the Organization of the City Council of the City of Evanston**
Consideration of proposed resolution 43-R-09 amending Rule 9.3 and 9.6 of the Rules of the Organization of the City Council of the City of Evanston.
For Action
- (O4)* **Resolution 41-R-09 Amending the By-Laws of the Economic Development Committee in the City of Evanston**
Consideration of proposed resolution 41-R-09 amending the by-laws of the Economic Development Committee expanding the number of members from nine (9) to eleven (11) and from five (5) aldermen to seven (7).
For Action
- (O5)* **Resolution 40-R-09 Appointing a Director to the Solid Waste Agency of Northern Cook County (SWANCC)**
Consideration of proposed resolution 40-R-09 appointing a Director to the Board of Directors of SWANCC pursuant to the SWANCC agreement. Alderman Wynne as Director.

APPOINTMENTS

(APP1)* For Appointment to:

Electrical Commission	Alexander Butkus
Human Relations Commission	Tinoka Dean
Mental Health Board	Kimberly Wolowiec-Fisher

AGENDA ITEMS FOR DISCUSSION:

(A4) Ordinance 36-O-09 Special One Day Liquor Licenses

Consideration of proposed ordinance 36-O-09 to amend the City Code by modifying 3-5-6 (F) to increase the number of special one day liquor licenses issued to a sales address or applicant; extend the hours of sale; remove the requirement of food and require BASSET training.

Alderman Rainey stated that this request was held in committee until further research from staff is completed.

(A5) Ordinance 11-O-09 Proposed Paving of the Alley North of Payne Street, East of Hartrey Avenue Special Assessment Alley 1500

Alderman Rainey moved for approval seconded by Alderman Wynne.

Alderman Grover spoke against the ordinance and said that the project would not begin this year and this would allow her to talk with the neighbors.

Alderman Rainey then asked if there were neighbors at the meeting and whether it had been anywhere else other than the committee.

Mayor Tisdahl then responded by saying she had a meeting and the majority of the community did not support the project. There were three families that did not use the alley and there was a seven- to – seven vote at the end of the meeting.

Alderman Holmes asked if anyone followed up with one of the homeowners, and Mayor Tisdahl said the family would not qualify for the assistance.

Alderman Rainey asked if Alderman Grover wanted to take the ordinance off the agenda, and Alderman Grover replied “Yes”. She asked that the proposal be removed from the agenda. Roll Call: Aye 8 - Nay 0. Removal from agenda approved.

(H1) Ordinance 31-O-09 Amending Chapter 8 of the Evanston City Code “Food Service and Retail Food Store Sanitation, “Adding “Seasonal Food Establishments”

Consideration of proposed ordinance 31-O-09 amending Chapter 8 of the Evanston City Code “Food Service and Retail Food Store Sanitation,” adding “Seasonal Food Establishments.” The amendment will assist in the tracking of food vendors operating at a venue (Farmer’s Markets, Northwestern Athletic Events, and Lakeshore Summer Food Vendors etc.) for six months or less and provide a means to prevent food borne illness. Seasonal food establishments will be charged a fee of \$225 to cover inspection services and application reviews by City staff.

Alderman Holmes moved for approval and Alderman Wynne seconded the motion.

Alderman Rainey asked if we were talking about the people with the carts, ice cream vendors and so forth.

Alderman Holmes said they asked and it does not, but they should already have their licenses, and if they don’t the City staff should be notified.

Evonda Thomas Director of Health & Human Services stated they possess a permit to operate. She also stated they do not license the corn vendors and they are not allowed in the City of Evanston.

Alderman Wilson asked if it would include the bakeries that have bread stands at the Farmer's Market.

Ms. Thomas answered no because the Farmer's Market falls out of the City's venue, but with this new ordinance they will be included.

Alderman Rainey wanted to know if a business already had a permit would they then need to apply for another one, and the answer was no.

Alderman Burrus wanted to know how many establishments would be affected.

Ms. Thomas replied they had no idea how many it would be affected, but once they start filling out the applications they will have a better way of tracking.

Alderman Wilson wondered if you were a bakery and selling unwrapped bread or rolls under your primary ownership would you need to apply again.

Ms. Thomas replied not if you are an identified seller of bread or baked goods, because the ordinance allows a certain amount of baked goods at the Farmer's Market.

Alderman Holmes stated there are two types of baked goods, those that come from a bakery and then those that come from a not-for-profit organization. The not-for-profit organization would not need to get a permit for the Farmer's Market. Voice vote was called by Mayor Tisdahl, the voice vote was unanimous and the motion passed.

CALL OF THE WARDS:

1st Ward. Alderman Fiske congratulated the CERT award winners and the Preservation awardees. She announced her upcoming ward meeting Tuesday, June 2 at the Evanston Public Library, first floor community room.

2nd Ward. Alderman Jean-Baptiste was absent.

3rd Ward. No report.

4th Ward. Alderman Wilson acknowledged the outstanding job of families around Washington School for the beautiful landscaping they did. Also reminded everyone to lock their cars, doors, house windows and be careful with the many crimes that are rising.

5th Ward. No report

6th Ward. Alderman Tendam echoed the remarks of Alderman Wilson concerning the safety factors at home and in cars. He mentioned a ward meeting that will happen in the middle of June.

7th Ward. No Report

8th Ward. No report.

9th Ward. Alderman Burrus announced a town-hall meeting in early July, and will launch her website in the next two weeks. If there are any types of groups in her ward email her with their information; or a neighborhood watch organization so that she can include you on her website.

At 9:40 p.m. Alderman Wilson 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 Holmes.

Roll call. Voting aye – Fiske, Wynne, Wilson, Holmes, Tendam, Grover, Rainey, Burrus Voting nay – none. Motion carried (8-0) at 9:40 p.m.

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.