



**CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
CITY COUNCIL MEETING
Monday, December 14, 2009
8:33 P.M.**

Roll Call:

| | |
|-----------------|------------------------|
| Alderman Wilson | Alderman Burrus |
| Alderman Holmes | Alderman Fiske |
| Alderman Tendam | Alderman Jean-Baptiste |
| Alderman Grover | Alderman Wynne |
| Alderman Rainey | |

Presiding: Mayor Elizabeth M. Tisdahl

Mayor Award Presentation:

Mayor Tisdahl presented Senator Schoenberg with the first ever “City of Evanston Extraordinaire Service Award”.

Senator Schoenberg spoke of the rich quality of life that Evanston has and how proud he was to have received this award that the City and Council had bestowed on him.

Mayor Public Announcements:

Mayor Tisdahl asked Pat Fitzgerald, the Northwestern University Football coach, to come forward. She praised the team’s performance, wished them well and presented him with a sampling of cookies that will be awaiting him and the team on the 23rd of December.

Coach Fitzgerald thanked the Council and the City for the support that Northwestern has received from the community. He also passed out Northwestern shirts and hats to the Council members to wear on January 1st.

City Manager Public Announcements:

Evonda Thomas, Director of Health & Human Services, gave an update on the H1N1 vaccinations and schedule. The third H1N1 vaccination clinic will be held on Saturday, December 19th from 9 am to 4 pm at ETHS by appointment only. Starting Tuesday, December 15th health providers will be offering the vaccine to the general public.

Suzette Eggleston, Interim Director of Public Works, stated the Thursday trash collection will be on Saturday, December 26th. On Friday, January 1st, 2010 the City will be closed and condo collection will be on Thursday, December 31st. She also passed out snow brochures that will also be placed on car windshields.

City Manager Bobkiewicz asked how residents will be notified of snow emergencies.

Ms. Eggleston stated the best way is to 1) Listen for the sirens at the appropriate times, 2) Call the snow line and listen to the message, 3) The City’s websites on the front page inform you of the parking restrictions and

4) The Department sends out an e-news blast and updates to the cable, radio as well as face-book.

Robert Dorneker, Superintendent Recreation, stated Christmas Trees will be picked up from the parkways beginning December 28th and for five consecutive weeks. He asked citizens not to place trees in plastic bags or keep ornaments and other things attached to the trees because they will damage the mulching machines. He also invited all to the Kwanzaa Holiday Lighting in Fountain Square at 5:30 pm Saturday, December 26th.

Police Chief Eddington spoke on the successful blood drive for the injured Police detective Joe Bush, which netted 210 units of blood.

Communications: City Clerk

City Clerk read changes to the minutes of November 16th on pages 2 and 3 and read a statement to the Council concerning the responsibilities of the Clerk. A CD recording was played of the November 23rd Council Meeting. After much debate the October 26th CD recording was introduced.

Alderman Grover stated that after she listened to the CD recording and reading the minutes of the October 26th meeting prepared by Mr. Greene, he had accurately transcribed what transpired in the meeting.

Special Order of Business

(SP1) City Council Goal: Police and Fire Pension Funding

At its September 21, 2009 meeting, the City Council identified twelve goal areas to focus its attention in the coming months. One of these areas is Police and Fire Pension Funding.

City Manager spoke concerning the Fire and Policeman Pension Fund. Marty Lyons, Assistant City Manager, was available to answer any questions: 1) What will be the trend for the next two years, 2) Is the existing Pension Plan suitable, 3) What percentage will the City have to give in fifteen to twenty years.

City Manager stated at the workshops in the near future the questions will be discussed.

Citizen Comment: Non-Agenda Items:

Tyrone Gibbs 1929 Foster Street, spoke of his concerns for the L.E.P. (Labor Employment Program). He stated this is an excellent program, and this program needs to be expanded. The construction contractors need to be pressured into hiring more Evanston residents, but the \$500,000 dollar amount should be lowered so they will be obligated to hire Evanston residents. We need to have a program where the youth can be trained to be qualified to be hired on these many job sites in the City. He also complimented the Clerk on doing an excellent job, as well as mentioning affordable housing before he left the podium. Alderman Jean-Baptiste informed Mr. Gibbs of the MWEBB committee and he would inform him when the next meeting will take place.

Clare Kelly Delgado, 823 Colfax Street, spoke how excited she and her children and the neighborhood were

about the ice rink that is planned for the old Kendall School site at Orrington and Sherman.

Nick Agnew, 819 Colfax Street, spoke also about having an ice rink on the Kendall empty lot at Orrington and Sherman.

Mike Vasilko, 2728 Reese, requested the City Council to direct staff to stop Northwestern from any future building until they make a contribution towards the Pension Fund and to pay their fair share to the City.

Chris Skey, 2200 Harrison Street, spoke on the issue of closing the North Branch Library. He requested the Council not to close the branch libraries. He stated it is fundamental service that must be maintained.

Anita Remijos, 2311 Sherman, she support consideration of the ice rink on the Kendall empty lot.

Andrew Spatz, 1216 Main, supported the Green Building Ordinance. He suggested the Green Building committee should be kept together to discuss further proposals.

Elizabeth Kinney, 1024 Brummel Street, a 20 year Evanston resident, recommended the adoption of the Green Building Ordinance.

Items not listed under the consent agenda

(M3) Approval of Minutes of the Regular City Council Meeting of November 23, 2009

(A7) Snow Towing – One-sided Street Parking

Staff recommends City Council discuss current snow towing regulations and one-sided street parking, and provide direction to staff. Staff will provide oral report only.

(A8) Street Parking Enforcement for Non-passenger Vehicles

Staff recommends City Council discuss current, street parking enforcement regulations for non-passenger vehicles and provide direction to staff. Staff will provide oral report only.

(P1) Ordinance 122-O-09 – Amending Various Portions of the Zoning Ordinance Relating to the Creation of the “Resale Establishment” Use

Staff and Plan Commission (12/9/2009) recommend adoption of Ordinance 122-O-09: a text amendment to the Zoning Ordinance defines “Resale Establishments” as a use of land and allows such establishments in the Business, Commercial, Downtown, Research Park, and MXE Mixed Use Employment zoning districts. The proposed ordinance would allow Resale Establishments under 5,000 square feet in gross floor area as permitted uses in those districts, and would allow uses of 5,000 square feet or more to operate only by special use permit. Resale Establishments would not be allowed in any districts other than those listed.

For Introduction

Items with an (*) were approved on Consent Agenda

CONSENT AGENDA

(M1)* Approval of Revised Minutes of the Regular City Council Meeting of October 26, 2009

(M2)* Approval of Minutes of the Special City Council Meeting of November 16, 2009

ADMINISTRATION & PUBLIC WORKS

(A1)* City of Evanston Payroll through 11/22/09 \$2,454,625.20

City of Evanston Payroll through 12/6/09 \$2,266,482.18

(A2)* City of Evanston Bills through 12/15/09 \$2,771,015.57

(A3.1)* Sole Source Purchase of 24 Hach Turbidimeters for the Water Utility

Staff recommends City Council approval of a sole source purchase of twenty-four (24) Model 1720 E Turbidimeters from Hach Company (5600 Lindberg Drive, Loveland, CO) in the amount of \$66,588.14 for the Evanston Water Utility. Funding is provided by the 2009/2010 Capital Improvement Program, item number 733087.

(A3.2)* Award of Agreement for Concrete Inspection at the Evanston Water Utility (RFP 10-75)

Staff recommends City Council approval of an agreement in response to RFP 10-75 to provide engineering services for the inspection and evaluation of concrete in the 1913 Facilities of the Evanston Water Utility with CTL Group (5400 Old Orchard Road, Skokie, IL) in the not-to-exceed amount of \$60,000.00. Funding will be provided from the Water Fund 7125.62180.

(A3.3)* Award for Installation, Removal, and Repair of Law Enforcement and Emergency Fire Response Vehicles' Lights and Emergency Equipment (RFP 10-76)

Staff recommends approval of the lowest responsive and responsible proposal (RFP 10-76) for installation, removal, and repair of law enforcement and emergency Fire response vehicles' lights and emergency equipment in the amount of \$60,473 to Havey Communications (28835 Herky Dr. #117, Lake Bluff, IL). The contract will be for the period of December 15, 2009 through December 14, 2010. The 2009-2010 budget for Installation, Removal, and Repair of Law Enforcement and Emergency Fire Response Vehicles/Equipment is \$60,473. Funding provided by the Fleet Services Fund for Major Maintenance 7710.65060.

(A3.4)* Proposed Operating Agreement between the City of Evanston and Smithfield Properties XXXII, L.L.C., for an Outdoor Natural Ice Rink on Property Previously Known as the Kendall Property

Staff recommends City Council approval of the proposed agreement between the City of Evanston and Smithfield Properties XXXII, L.L.C., whereby the City would develop and operate an outdoor natural ice rink on the property previously known as the Kendall property (2408 Orrington Avenue). There will be no financial impact to the City to develop and operate the ice rink.

(A3.5)* Approval of Downtown II TIF District Close Out

Staff recommends approval to transfer all remaining Downtown II TIF funds on December 31, 2009 to the Parking fund for the payment of debt service on the Sherman Ave. Garage or for the potential use in repayment of tax appeals/refunds awarded after the Downtown II closure.

(A4)* Resolution 63-R-09 Amending the Title and Scope of the Parking Committee to Be the Transportation/Parking Committee

Staff and the Parking Committee recommend City Council approval of proposed Resolution 63-R-09 amending the title and scope of the Parking Committee to be the Transportation/Parking Committee as recommended in the Multi-Modal Transportation Plan.

For Action

(A5)* Resolution 89-R-09 Authorizing the City Manager to Enter into an Amended Lease Agreement with SMBC for the Observation Tower Cell Site in the Lorraine H. Morton Civic Center

Staff recommends approval of Resolution 89-R-09 to amend and extend the existing lease between Verizon Wireless and the City of Evanston for the observatory space in the Lorraine H. Morton Civic Center for continued use as a cell tower.

For Action

(A6)* Resolution 91-R-09 Authorizing City Manager to Execute a Lease Agreement with Artist Sarah Kaiser for Use of Studio B-9 at the Noyes Cultural Arts Center

Staff and the Evanston Arts Council recommend City Council approval of Resolution 91-R-09 authorizing City Manager to execute a lease agreement with artist Sarah Kaiser for use of Studio B-9 at the Noyes Cultural Arts Center. Revenue from rent payments will be posted to account 3710.53565 (Noyes Center) in the City of Evanston General Fund.

For Action

(A9)* Ordinance 118-O-09 Amending Section 3-2-16-2 of the Evanston City Code "Tax Imposed" (Parking Tax)

Staff recommends City Council approval of proposed Ordinance 118-O-09 amending Section 3-2-16-2 of the Evanston City Code "Tax Imposed." The ordinance is recommended by staff to bring the ordinance in line with the current tax, raising the tax on the city owned garages on monthly rates to \$25, which was effective on March 1, 2008 when the monthly permit was raised to \$85.

For Introduction

(A10)* Ordinance 120-O-09, Decrease in the Number of Class B1 Liquor Licenses for Bill's Blues Club

Local Liquor Commissioner and staff recommend approval of proposed Ordinance 120-O-09 which amends Section 3-5-6(B1) of the City Code to decrease the number of Class B1 liquor

licenses from 7 to 6 due to the liquor license revocation of Bill's Blues at 1029 Davis Street, 60201.

For Introduction

(A11)* Ordinance 121-O-09 Transferring the Jurisdiction of Dempster Street from Sherman Place to Forest Avenue from the Illinois Department of Transportation to the City of Evanston

Staff recommends City Council approval of proposed Ordinance 121-O-09 transferring the jurisdiction of Dempster Street from Sherman Place to Forest Avenue from the Illinois Department of Transportation (IDOT) to the City of Evanston. The ordinance is recommended by staff in order to take jurisdiction of the intersection of Chicago Avenue and Dempster Street. There is no funding required for this ordinance.

For Introduction

(A12)* Ordinance 110-O-09 Amending Section 9-2-3(B) of the Evanston City Code Increasing Fire Department Transport Fees

Staff recommends adoption of proposed Ordinance 110-O-09 amending Section 9-2-3(B) of the Evanston City Code to increase Fire Department ambulance transport fees and charge a new ambulance mileage fixed fee per transport incident. Ordinance 110-O-09 was introduced at the City Council meeting on November 23, 2009, on the Consent Agenda.

For Action

(A13)* Ordinance 111-O-09 Decrease in the Number of Class C Liquor Licenses, Jamaica Jamaica

Local Liquor Commissioner and staff recommend adoption of Ordinance 111-O-09 amending Section 3-5-6(C) of the City Code to decrease the number of Class C liquor licenses from 24 to 23 due to the closing of Jamaica, Jamaica (1512 Sherman Avenue, 60201). Ordinance 111-O-09 was introduced at the City Council meeting on November 23, 2009, on the Consent Agenda.

For Action

(A14)* Ordinance 112-O-09 Increase in the Number of Class D Liquor Licenses, Mecafresh

Local Liquor Commissioner recommends adoption of Ordinance 112-O-09 amending Section 3-5-6(D) of the City Code to increase the number of Class D liquor licenses from 20 to 21 due to the opening of Mecafresh (1840 Oak Avenue, 60201). Ordinance 112-O-09 was introduced at the City Council meeting on November 23, 2009, on the Consent Agenda.

For Action

(A15)* Ordinance 115-O-09 Increase in the Number of Class C Liquor Licenses, Bistro Bordeaux

Local Liquor Commissioner recommends adoption of ordinance 115-O-09 amending 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 Bistro Bordeaux (618 Church Street, 60201). Ordinance 115-O-09 was introduced at the City Council meeting on November 23, 2009, on the Consent Agenda.

For Action

PLANNING & DEVELOPMENT

(P2)* Ordinance 116-O-09 Amending Title 4, Chapter 23 of the City Code, "Energy Code," by Adopting the 2009 International Energy Conservation Code by Reference

Staff recommends adoption of Ordinance 116-O-09 formally adopting the *International Energy Conservation Code, 2009 Edition* in compliance with State legislation HB 3987. Ordinance 116-O-09 was introduced at the City Council meeting on November 23, 2009, on the Consent Agenda.

For Action

(P3)* Ordinance 117-O-09 Amending Portions of Title 4, Chapter 20 of the City Code, "Vacant Buildings"

Staff recommends adoption of Ordinance 117-O-09 amending portions of Title 4, Chapter 20 of the city code, "Vacant Buildings." Ordinance 117-O-09 was introduced at the City Council meeting on November 23, 2009, on the Consent Agenda.

For Action

HUMAN SERVICES COMMITTEE

(P3)* Ordinance 117-O-09 Amending Portions of Title 4, Chapter 20 of the City Code, "Vacant Buildings"

Staff recommends adoption of Ordinance 117-O-09 amending portions of Title 4, Chapter 20 of the city code, "Vacant Buildings." Ordinance 117-O-09 was introduced at the City Council meeting on November 23, 2009, on the Consent Agenda.

For Action

HUMAN SERVICES COMMITTEE

(H1)* Township of Evanston November 2009 Monthly Bills

Township of Evanston Supervisor recommends that City Council approve the Township of Evanston bills, payroll, and medical payments for the month of November 2009 in the amount of \$91,417.91. Funding provided by Township budget. See attached bills list.

For Action

(H2)* Ordinance 124-O-09 Amending Ordinance 14-O-09, Commonly Known as the "Green Building Ordinance"

Staff and the Green Building Ordinance Committee recommend approval of proposed Ordinance 124-O-09, amending Ordinance 14-O-09 the Green Building Ordinance.

For Introduction

APPOINTMENTS

For appointment to:

| | |
|------------------------------------|----------------------|
| Board of Ethics | Lynn Richmond |
| Firefighter's Pension Board | John Sorensen |
| Ladd Arboretum Committee | Jerry Garner |
| Public Art Committee | Angela Renee |

Items for Discussion:

(M3) Approval of Minutes of the Regular City Council Meeting of November 23, 2009

Alderman Wilson stated on page 10 of the minutes should be changed to October 26th minutes.

(A7) Snow Towing – One-sided Street Parking

Staff recommends City Council discuss current snow towing regulations and one-sided street parking, and provide direction to staff. Staff will provide oral report only.

Alderman Rainey stated the committee suggested that Alderman Tendam continue discussion with staff and come back to the committee to discuss the item further.

(A8) Street Parking Enforcement for Non-passenger Vehicles

Staff recommends City Council discuss current, street parking enforcement regulations for non-passenger vehicles and provide direction to staff. Staff will provide oral report only.

Alderman Rainey stated no decision was reached on this item.

(P1) Ordinance 122-O-09 – Amending Various Portions of the Zoning Ordinance Relating to the Creation of the “Resale Establishment” Use

Staff and Plan Commission (12/9/2009) recommend adoption of Ordinance 122-O-09: a text amendment to the Zoning Ordinance defines “Resale Establishments” as a use of land and allows such establishments in the Business, Commercial, Downtown, Research Park, and MXE Mixed Use Employment zoning districts. The proposed ordinance would allow Resale Establishments under 5,000 square feet in gross floor area as permitted uses in those districts, and would allow uses of 5,000 square feet or more to operate only by special use permit. Resale Establishments would not be allowed in any districts other than those listed.

For Introduction

Alderman Wynne stated there were some changes and she referred it back to committee. A unanimous voice vote was taken.

Call of the Wards:

Ward 4 Alderman Wilson thanked the individuals for their efforts on the Green Building Ordinance Revisions

Ward 5 Alderman Holmes invited everyone this Thursday to the fifth ward Holiday celebration at Fleetwood-Jourdain.

Ward 6 Alderman Tendam thanked all the participants at the lighting of the Menorah at Fountain Square. He stated there was music, dancing and terrific jelly donuts.

Ward 7 Alderman Grover cheered the Northwestern Football team for a win against Auburn. She also mentioned the WBEZ program concerning the segment called the Copenhagen quiz that dealt with sustainability efforts as well as a local section where Evanston figured prominently in the questioning.

Ward 8 Alderman Rainey had no report.

Ward 9 Alderman Burrus wished everyone Happy Holiday and New Year and stated she was not looking forward to wearing an Auburn tee shirt.

Ward 1 Alderman Fiske thanked everyone for their support of the ice rink at Kendall. December 15th at 7 pm the Preservation Committee will be meeting, and at 7:30 pm the ZBA will be considering the Seabury issue. She wished Happy Holidays to all.

Ward 2 Alderman Jean-Baptiste extended congratulations to Deputy Chief Sam Hunter on his retirement. He asked the City Manager to follow up on the process of hiring in the Fire Department. He mentioned the meeting in the 2nd ward with Freed Associates and the issues of the Latino community and lack of visible businesses. He also reminded everyone of the lighting of the Kinarah at 5:30 pm on the 26th of December at Fountain Square which marks the first day of Kwanza and on Monday the 28th there will be a celebration of Kwanza at Fleetwood-Jourdain.

Ward 3 Alderman Wynne made a reference to the Planning and Development Committee concerning the definition change of type II restaurants. She stated there were concerns about the City's ability to control type II restaurants in the communities because of the trash they generate. She suggested the need of a review of the type I and type II restaurants. She wished all Happy Holidays and Happy New Year.

Alderman Wilson then moved to convene into an Executive session to discuss Real Estate, Personnel, Litigation and minutes. There was a second and a roll call was performed, with the results of a 9 -0 approval to go into Executive session.

The Mayor declared the meeting closed at 10:03 p.m.

Respectfully submitted,
Rodney Greene, City Clerk

A CD RECORDING WILL BE AVAILABLE IN THE CLERK'S OFFICE AFTER JANUARY 14, 2010.