

CITY COUNCIL

September 22, 1997

ROLL CALL - PRESENT:

Alderman Drummer
Alderman Wynne
Alderman Bernstein
Alderman Kent

Alderman Moran
Alderman Engelman
Alderman Rainey
Alderman Newman

A quorum being present.

ABSENT: Alderman Feldman

PRESIDING: Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order on Monday, September 22, 1997, at 9:00 p.m. in the City Council Chamber by Mayor Morton.

CORNERSTONE PROGRAM AWARD

Jay Terry, Director of Health and Human Services, stated the Evanston Health Department had worked on a pilot program of the State of Illinois which is a case management system for high-risk families. He was pleased when notified that the Health Department would receive an award from the state on behalf of the Health Officials Association for their work. He introduced Bruce Mims, regional health official for the Illinois Department of Public Health. Mr. Mims described the software program for pediatric care developed by the Illinois Primary Health Care Association and the Office of Community Health of the Department of Public Health and said that Evanston and several other communities were used as guinea pigs to develop the system. He stated the emphasis on integrity and questioning by the Evanston staff resulted in a training system that will be used throughout the state and country on how to use the Cornerstone System. Mr. Mims presented the Partnership Award to Louise Brown, Director of Public Health in recognition of Evanston's participation as a pilot program for Cornerstone, a comprehensive maternal child health data system that integrates Illinois community health. Ms. Brown introduced and praised Gnenpu Stubblefield, supervisor for the family health program and John Sturtevant, data coordinator, who did the work on the program.

Mayor Morton expressed congratulations to the Health Department on the award and praise for their accomplishment.

Tape recording of this meeting has been made part of the permanent record and is available in the City Clerk's office.

CITIZEN COMMENT:

Bob Wulkowicz of Chicago, arborist and electrician, urged Council to look at the proposed tree preservation ordinance on three levels: protecting the inherited beauty of Evanston; and accountability because currently anyone do anything with trees in Evanston. The ordinance will give the City the ability to track trees and help maintain heritage trees. The third issue is poor arborist practices that do a disservice to the customer and oftentimes guarantee that trees will be hazardous and present problems later. He urged support of the ordinance calling it a visionary statement.

Raymond J. Prosser, attorney for objectors, opposes the extension of the special use at 2210 Ashland Avenue for three reasons: Mr. Powers does not have a signed lease; this is a situation in which the request for extension is based primarily on a sewer project that is scheduled to go in, and given those schedules, Mr. Powers may be here again next year which seems to be an unduly long time for a special use. His third objection was based on the safety issues and concerns of the neighbors. He introduced Rosalind Tilman, area resident, who said she was late in coming forward; noted that children walk there to Kingsley and Haven schools and stated that people don't want the project in the neighborhood; urged Council to vote against it.

Mark Powers, 3144 Central Street, said that Ms. Tilman did not appear at any of the public forums nor responded to his invitation to meet with her. He stated the pending sewer project could severely hamper opening the proposed car wash. The street will be torn up and he is unable to determine when he can open. He asked for a one year extension because circumstances beyond his control cause him to make the request. There are no changes to the site plan; the lease is waiting to be signed and he has a loan commitment from the bank.

Sara Fitzmorris, 1313 Chancellor Street, expressed concerns of the North Evanston Watch District regarding proposed changes in leaf collection. A homeowner and horticulturalist, she opposes elimination of the present street leaf removal program based on logistical and plant health issues. She stated that weather and genetic information determine when leaves fall. With no mature shade trees on her lot, she said that she and others face large leaf cleanup tasks from leaves which do not originate on their property. She noted that more than half of leaf collection is generated by City trees on parkways; that allowing shredded leaves to remain on lawns is not recommended unless the volume of leaves is low; and leaves that remain on lawns can deplete nitrogen from the soil. The other hazard is fungal foliar disease in fallen leaves which can weaken trees and shrubs. For the short term she recommended the City invest in a leaf vacuum. These machines are used throughout North Shore communities to remove leaves from parkways. In some wards she suggested retaining street collection of leaves with ten-day parking restrictions immediately prior to the three major collections. She suggested that every ward should receive its last street or vacuum pickup as close to the middle of the first week in December and that containerized yard waste pick-up should continue until the second week in December. For the long term she suggested requiring any new tree planted on public property to be a seedless variety. She stated that more effective communication of City leaf collection procedures is needed and asked that property owners receive a clearly worded statement of leaf disposal procedures. She stated workable solutions to community problems such as leaf collections are needed and objected strongly to shifting the burden of leaf collection back on to individual citizens; urged Council to vote against the changes in leaf collection.

Alderman Newman requested that staff respond to Ms. Fitzmorris' comments. Mayor Morton pointed out that the City uses a committee process and the committee would have benefitted from her comments at an earlier time.

CONSENT AGENDA (Any Docket Item Marked with an Asterisk*)

Alderman Drummer moved Council approval of the Consent Agenda with the following exceptions: Ordinance 65-O-97 - Tree Preservation Ordinance; Ordinance 92-O-97 - Changes in Leaf Collection Operation; Request for Time Extension for Special Use at 2210 Ashland Avenue; Ordinance 94-O-97 - Amendment to the Dangerous Building Code. Seconded by Alderman Engelman. Roll call. Voting aye - Drummer, Wynne, Bernstein, Kent, Moran, Engelman, Rainey, Newman. Voting nay - none. Motion carried. (8-0)

ITEMS APPROVED ON CONSENT AGENDA:

MINUTES:

* Approval of the minutes of the Regular Council Meeting of September 8, 1997. * APPROVED - CONSENT

AGENDA MOTION AND ROLL CALL (8-0)**ADMINISTRATION & PUBLIC WORKS:**

* Approval, as recommended, of City of Evanston payroll for the period ending September 18, 1997; and for City of Evanston bills for the period ending September 23, 1997; and that they be authorized and charged to the proper accounts, summarized as follows:

City of Evanston payroll (9/18/97)	1,437,811.79
City of Evanston bills	3,153,176.17

* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

PURCHASES:

* Approval of the proposal from Third Millennium for the 1998 vehicle license package contract at a cost of \$14,589.

* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of the low bids from various nurseries for the 1997 fall tree and plant materials at a total cost of \$24,814.70.

BID SUMMARY:

Bidder	Location	Total Bid
Shemin Nursery	Addison, IL	\$2,981.00
Charles Fiore	Libertyville, IL	\$6,787.50
Swartz Nursery	Burlington, WI	\$4,281.00
St. Aubin Nursery	Kirkland, IL	\$5,896.20
Wandell Nursery	Urbana, IL	\$4,869.00

* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of bid from Standard Equipment Co. for a small packer truck at a cost of \$29,999.

BID SUMMARY:

Bidder	Location	Total Bid
United Equipment	Franklin Park, IL	\$26,125
Standard Equipment	Chicago	\$29,999

* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of proposal from Thompson Dyke & Assoc. for landscape architectural services for Parks/Forestry & Recreation at a cost not to exceed \$99,250. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Change Order #1 for alley reconstruction, for an increase of \$71,540 in the contract price. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)



* Neighborhood Traffic Control - Alley Speed Bumps - Consideration of a staff recommendation to place alley speed bumps west of Hartrey Avenue between Greenwood and Dempster Streets; and west of Ridge Avenue between Hull Terrace and Austin Street. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 74-R-97 - Metropolitan Water Reclamation District Extension - Consideration of proposed Resolution 74-R-97, which authorizes the City Manager to sign an agreement to grant the MWRD an extension until October 31, 1997 for the Main Street project. * ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 75-R-97 - Approving Use of Centennial Park by McGaw YMCA for Annual Camp-Out - Consideration of proposed Resolution 75-R-97, which authorizes the YMCA to hold its annual Indian Guides and Princesses overnight camp-out in Centennial Park on September 27-28, 1997.* ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 77-R-97 - Approving Use of Lakefront Path for City of Hope's Walk for Hope - Consideration of proposed Resolution 77-R-97, which approves the annual walkathon by City of Hope to use the lakefront path from Northwestern University to Clark Square Park on Sunday, October 5, 1997. * ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 78-R-97 - Intergovernmental Agreement with City of Chicago - Consideration of proposed Resolution 78-R-97, which authorizes the City Manager to sign an intergovernmental agreement with the City of Chicago for architectural/engineering services for conceptual design services for the Howard Streetscape Project. * ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Ordinance 97-O-97 - Two-Sided Parking on Brummel Street and Clyde Avenue - Consideration of proposed Ordinance 97-O-97, which amends Section 10-11-18, Sched. VIII(A) to add parking on both sides of Brummel and Clyde. * MARKED INTRODUCED - CONSENT AGENDA

O- * Ordinance 96-O-97 - Infrastructure Maintenance Fee - Consideration of proposed Ordinance 96-97, by which the City Council would adopt a one percent of gross revenues infrastructure maintenance fee to replace the franchise fee for telecommunications companies. * MARKED INTRODUCED - CONSENT AGENDA (8-0)

* Ordinance 91-O-97 - Sale of 1419 Fowler Avenue - Consideration of proposed Ordinance 91-O-97, introduced September 8, 1997, by which the City Council would authorize the City Manager to sell the property at 1419 Fowler Avenue. * ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Ordinance 93-O-97 - Increase in Class O Liquor Licenses - Consideration of proposed Ordinance 93-O-97, introduced September 8, 1997, by which City Council would amend the existing City Code to permit the issuance of a Class O Liquor License to Whole Foods Market Group, DBA Whole Foods Market, at 1640 Chicago Avenue. * ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Ordinance 85-O-97 - No Parking Zone on Leonard Place west of Wesley - Consideration of

proposed Ordinance 85-O-97, introduced August 18, 1997, amends Section 10-11-9, Schedule IX(EE), to prohibit parking on the north side of Leonard Place, west of Wesley Avenue, on Tuesdays between 7:00 a.m. and 4:00 p.m.

* ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

HUMAN SERVICES:

No action items.

PLANNING & DEVELOPMENT:

* Ordinance 82-O-97 - Amendment to the Fee Ordinance - Consideration of proposed Ordinance 82-O-97, introduced August 18, 1997, by which the City Council would amend the fee schedules for applications, special uses, variations, and time extensions. * ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

OTHER COMMITTEES

* Resolution 76-R-97 - Amending the 1997-98 Community Development Block Grant Program - Consideration of proposed Resolution 76-R-97, which amends the 1997-98 CDBG Program to authorize the reallocation of funds (Housing & Community Development Act Committee).

* ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

*** APPOINTMENTS:**

Mayor Morton introduced the following names for appointment:

Elizabeth Schenkier 724 Judson Avenue for term ending October 15, 2001	Environment Board
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Nick Greifer 3233 Grant Street for term ending October 15, 2001	Environment Board
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Mayor Morton introduced the following names for reappointment:

David Grumman 1332 Forest Avenue for term ending October 15, 2001	Energy Commission
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David Bradford 2102 Dobson Street for term ending October 15, 2000	Human Relations Commission
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Charles Smith 207 Asbury Avenue for term ending October 15, 2000	Ladd Arboretum Committee
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Ellen Reynolds 1012 Darrow Avenue for term ending October 15, 2001	Mental Health Board
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Susan Stroh	Mental Health Board
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2618 Simpson Street
for term ending October 15, 2001

Gregory Nowesnick
620 Sheridan Square
for term ending October 15, 2000

Preservation Commission

* APPROVED - CONSENT AGENDA

Mayor Morton asked Council confirmation of the following name for appointment:

William Hartgering
1821 Asbury Avenue
for term ending September 30, 2000

Library Board

* APPROVED - CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES:

ADMINISTRATION & PUBLIC WORKS:

Ordinance 65-O-97 - Tree Preservation Ordinance - Consideration of proposed Ordinance 65-O-97, introduced September 8, 1997, whereby the City Council would establish criteria for the removal of trees having trunks larger than 8-inches in diameter, with the exception of the owner-occupant and historic trees, and for the trimming of trees along rights-of-way and easements.

Alderman Rainey reported that the proposed tree preservation ordinance was a special order of business in the A&PW Committee meeting; the committee heard from various concerned parties and had made progress. She asked that it be held. Seconded by Alderman Engelman.

Ordinance 92-O-97 - Changes in Leaf Collection Operation - Consideration of proposed Ordinance 92-O-97, introduced September 8, 1997, by which the City Council would amend several sections in Chapter 8 of the City Code regarding collection of leaves.

Alderman Rainey moved adoption of proposed Ordinance 92-O-97. Seconded by Alderman Drummer.

Alderman Drummer stated one issue not addressed is how the City deals with contractors who will collect leaves. He thought that any contractor with an Evanston license could take leaves to the drop-off site, but there are many landscape contractors from outside Evanston. He suggested the City needs to find a way to allow all landscape contractors to dump leaves at the drop-off site and one way would be to license landscape contractors who do business in Evanston. He pointed out it is an industry that has gone unregulated for a long time. He was concerned about the timing of such licensing and whether there is time to do it given the nearness of leaf collection season.

City Manager Crum called on Acting Public Works Director Max Rubin and Superintendent of Streets & Sanitation Zeltee Edwards to respond to Alderman Drummer and answer questions.

Mr. Rubin stated the program starts October 13 and the City plans a mailing (distributed to Council that evening) telling people about the new program. He did not know how long it would take to create an ordinance for licensing landscapers but thought licensing would be helpful with leaf blower issues as well as. Mr. Rubin pointed out that contractors must be able to transfer leaves from their vehicle into a City truck. Mr. Edwards said there also are practical considerations. All leaves and grass clippings are taken to the James Park compost facilities comprising 2.75 acres. The City can take up to 6.5 million pounds now and cannot go much above that. If the City decides to take on contractors because they have a license, and they can dump for free, the City may run into a problem accommodating them. Mr. Edwards agreed with Alderman Drummer that contractors have brought leaves here from other

communities.

Alderman Drummer saw inequities whereby Evanston contractors with a license are allowed to dump and those from outside the community cannot dump who work on Evanston properties.

Mr. Edwards clarified that leaf collection is only 21 days away and that is why it is essential to make a decision immediately and to get information out to the public on the policy.

In response to Alderman Newman's question about what would happen to somebody who raked into the street, Mr. Rubin said the City would issue a compliance ticket. Rubin said they don't want to arrest people, and the reason they are here is that the current leaf collection program has not worked. The City is trying to improve leaf collection service to the community by getting leaves off the ground in the least offensive way to citizens.

Alderman Newman was concerned that there be fair enforcement throughout the City. In response to the Alderman's question, Mr. Rubin said that if somebody puts leaves in a green plastic garbage bag, it would be tagged as not conforming by the Sanitation Department, which is what is done now. Alderman Newman suggested they need to say more than that and not assume that everybody knows the program. He thought the City needs to pick up as many different bags as it can and Sanitation needs to provide an explanation why a leaf bag has not been collected. Mr. Rubin said they can make a sticker say anything the Council wants.

Alderman Newman agreed in part with Ms. Fitzmorris about leaf collection being a basic service and it is regrettable that the City has to cut back. He supports the proposed ordinance because in the 1st Ward, with the number of cars parked on the streets, it is extremely difficult to get cars off the streets when they are supposed to. The City is in a situation, where in order to pick up leaves in the streets, they have to repeatedly tow cars which irks many people. It is a difficult situation for everybody. Alderman Newman said there must be a more intensive public relations effort than the leaflet, which he thought some might consider junk mail. Alderman Newman said he expects staff to perform this service in an effective way and this is a transition year. He hopes that this will be a priority with senior staff to make sure that leaves are picked up in the right way. He wanted the City to have contingency plans and stated that citizens hold aldermen accountable when service breaks down. In the Sanitation area, he saw a need for improvement for residents who pay the highest property taxes on the North Shore.

Alderman Rainey was disturbed by the citizen speaker whose attitude was to take care only of her own. All are in this together. This is an effort to deal with a problem that last year seemed to have gotten out of control. She noted in Council minutes that amount of leaves was 600,000 lbs., which is incorrect. It is *6 million* pounds of leaves and virtually impossible to pick up that amount of leaves off the streets. It is easy for citizens who live in one part of town to tell citizens who live in another part of town, just move your car to the other side of the street. There are many streets where there isn't a space available on the other side. She noted that this evening they voted to allow parking on both sides of Brummel and Clyde. Both streets were enlarged so people could park. She was sure if the City bought four or five vacuums, they could suck up all the leaves in a month. But leaf vacuums are expensive and there is evidence they are difficult to maintain. Mufflers drop into leaf piles, get sucked up, and break the vacuum. If people will be patient and give this a try, she believes it will work and if it doesn't work, it will be changed. Everyone used to bag their leaves, then they raked to the street, and now they are going back to bagging. Everyone in Illinois has to separate their garbage from yard waste. Her suggestion on landscaper dumping at the site where dumpsters are staffed on Saturday and Sunday, was that the City have a receipt book, cash drawer and stickers available, and charge any landscaper \$50 - \$75 for dumping and give a sticker.

Alderman Drummer said that if contractors are required to haul leaves to another site, they will charge clients more and they want to avoid that. The goal is to get the leaves off the streets and to the drop-off site. Alderman Drummer asked Mr. Edwards what happens when the compost space is filled. Mr. Edwards explained that leaves collected in 1997 will be available as compost to the public in 1999. They have a beginning pile, an intermediate pile and a pile ready for distribution. Recently they have had more compost than users. The Parks Department and citizens cannot use it all. Professional landscapers have taken away the compost so that has enabled Sanitation to have space for composting. But they could get into a situation where, if they have more than they have been getting, the Sanitation

department will have to take finished compost to a landfill for disposal. Alderman Drummer said there is only so much space, so when there is a third or a quarter of that space left, they would tell contractors they cannot accept anymore. Mr. Edwards said they could determine a cut off and that can be judged as leaves come in.

Mr. Rubin said he would hesitate to charge a landscaper \$75 for an annual sticker if they have to cut them off at some point, but perhaps a charge could be levied on a per drop visit. Mr. Edwards was hesitant to charge a fee and suggested that if they were at 4 million pounds and had four weeks to go, the rest of the space would be for residents only.

Mayor Morton said that landscapers charge a dumping fee. Alderman Drummer commented landscapers have been dumping leaves in the streets and not refunding the dumping charge to residents.

Alderman Moran noted the brochure does not mention that residents can use the green roll-out carts for leaves. That's a good substitute for bagging and the carts hold a large amount of leaves. Alderman Moran said for enforcement on the leaf blower ordinance they need to consider licensing.

In response to Alderman Newman, Mr. Rubin said the green roll-out carts sell for \$64.80 and cost the City \$48.

Alderman Drummer moved to amend the ordinance to state that commercial landscapers' yard waste will be accommodated on weekends and, when the City can no longer take leaves from contractors, the cut-off date will be determined by staff. Seconded by Alderman Kent.

Alderman Rainey supported the amendment but predicted the day the City tells landscapers they are full, they will drive over to Brummel and dump their leaves. She did not know the fine for dumping leaves in the streets, and thought they need to look at imposing a fine.

Voice vote on amendment to proposed leaf ordinance Motion carried. No nays.

First Assistant Corporation Counsel Hill said there is a general fine from \$25 up to \$500 that would apply if nothing is specified in the ordinance. Alderman Rainey stated a \$500 fine was too much. Alderman Newman thought the chances of a \$500 fine being levied are unlikely. Mr. Hill confirmed that it is infrequent. Alderman Newman thought landscaping companies ought to be fined more than \$500 after first being given a warning for illegal leaf dumping. He would like a report on how many landscaping companies are caught dumping illegally.

Roll call. Voting aye - Drummer, Wynne, Bernstein, Kent, Moran, Engelman, Rainey, Newman. Voting nay - none. Motion carried. (8-0)

In response to questions from Mr. Rubin, there was agreement to continue off-week collection, but leaves would not be picked up at night.

Alderman Bernstein stated he voted for the ordinance because the present system was not working. He expressed concern about mounds of leaves at intersections with school children crossing streets.

Alderman Engelman noted there is no provision for cutting off collection in the ordinance, which he assumes is a staff decision. Mr. Rubin said that is a State of Illinois requirement - no composting after December 15. Alderman Engelman voted for the ordinance because the current program doesn't work, but did not like it and said the last thing he wants to see are bags of leaves in alleys or streets; leaves must be picked up by December 1. Mr. Rubin said leaf pickup will be extended to December 7 and the date will be on the flyer. Alderman Rainey suggested the flyer include the fact that a state law prohibits yard waste disposal by the City after December 15. Mayor Morton suggested clarifying other wording on the flyer. Alderman Drummer said it must be clear when leaf collection starts.

Alderman Rainey moved to suspend the rules to consider an item not on this evening's agenda (the Callan/Oakton Embankment Project). Seconded by Alderman Moran. Motion carried. No nays. Alderman Rainey explained that this project was rejected by Council at the September 8 meeting at her request based

on the project coming in over budget. Subsequently she examined the bid details with consultant, Teska & Associates and City Engineer Jim Tonkinson and the reason the bid was so high became evident. Where the wall is to be built the soil is sandy, requiring excavation and installation of footings. The bids were examined by Teska who determined they were good and both bids were still viable. Alderman Rainey moved to suspend the rules in order to reconsider the bid for the Oakton/Callan Embankment project. Seconded by Alderman Engelman. Motion carried. No nays.

Alderman Rainey asked Council approval of the low bid from Schaeffges Bros., Inc., for the Callan/Oakton Embankment Project at a cost of \$153,239.75 contingent on the CDBG Committee reallocating funds.

Roll call. Voting aye - Drummer, Wynne, Bernstein, Kent, Moran, Engelman, Rainey, Newman. Voting nay - none. Motion carried. (8-0)

City Manager Crum stated that item (12) was not discussed in committee, and that if the rules were suspended and it was adopted, the City would be on the same schedule as other cities in Illinois to meet the October 1 deadline.

Alderman Rainey moved to suspend the rules in order to adopt Ordinance 96-O-97 introduced this evening. Seconded by Alderman Engelman. Motion carried. No nays.

Alderman Rainey moved adoption of Ordinance 96-O-97. Seconded by Alderman Engelman. Roll call. Voting aye - Drummer, Wynne, Bernstein, Kent, Moran, Engelman, Rainey, Newman. Voting nay - none. Motion carried. (8-0)

HUMAN SERVICES:

Alderman Kent reported the Human Services Committee met with the Ladd Arboretum Committee, Environment Board and Arts Council recently and have met throughout the city with various boards and commissions to re-establish communication links. He described the meetings as informative and exciting. He said they need to find ways to enhance communication among various boards and commissions. They found at the September 2 meeting at the Georgian with the Commission on Aging and the Human Relations Commission that both are doing a wonderful job. The Commission on Aging has had talks about community safety for senior citizens and their inter-generational program which they felt was faltering and needed a spark to re-establish it. The Human Relations Commission is in the schools addressing community safety and opening up dialogue. They tried to pair these two commissions and hope to meet again with them to see how they can work together on the inter-generational project as well as community safety issues.

Alderman Kent announced the next Human Services Committee meeting will be October 6 at 7:30 p.m. at the Civic Center. They will discuss the lakefront and watercraft policies, get a status report on drug enforcement from the Police Department, hear a citizen complaint and possibly bring a neighborhood group in to discuss drug and gang problems.

PLANNING & DEVELOPMENT:

Request for Time Extension for Special Use at 2210 Ashland Avenue - Consideration of a request to extend the Special Use granted for a car wash at 2210 Ashland Avenue.

Alderman Engelman moved approval of the request for time extension for special use at 2210 Ashland Avenue. Seconded by Alderman Kent.

Alderman Engelman said he was the dissenting vote in the committee on this. He noted this request came before the Council in October, 1996, and he voted for it then in deference to the Alderman. At that time he stated he thought the City had missed the boat on this. This location is where Twiggs Park dead ends at Green Bay Road where the old testing lanes were 20 years ago. He thought that area, which is the corner of a triangle, is ripe for redevelopment and needs effort by the city to encourage redevelopment. He suggested that area would be great for commercial recreational use such as a driving range, batting cages or a miniature golf course - something that is both commercial and privatized that generates income, pays taxes and that complements the recreational use that extends down the canal shore. What the area does not need is a car wash because there is a car wash virtually across the street. The development here will set the tone for what comes after and another car wash is not needed. There has been no effort

by the Economic Development Committee, nor has a committee of the Council come up with a plan to redevelop that corridor or triangle and attract development. Alderman Engelman stated the applicant was granted a special use a year ago and has been unable to perform and now requests an extension. The lease is not yet signed. If the lease is not signed by October 14, he could not have received a permit anyway and his special use would have expired. The applicant wants an extension because he does not want to start building until after the sewer project is finished -- the sewer project will not be funded until spring 1998 and may not start until fall 1998 -- it could take another year after that until it is finished. When he goes in and starts building, it could be three years from now. There is a lot of hunting the City could do in three years. There has been a dramatic change in commercial development in this community in the last two years and with a little effort, he thought there could be a dramatic development of that section of Green Bay Road.

Alderman Kent stated they were with someone who wants to put a million dollars into an area that has basically cried out for six years for somebody to put resources in. He thought the city could have been hunting for something for the past six years. He doesn't think it is a matter of what could be there. Many things could be there. He would give this the go ahead. With the redevelopment of Twiggs Park at a cost of \$200,000 there were three community meetings and those protesting this use were not present. He described the dumping problem that he and Parks/Forestry and Sanitation have had to deal with for the past six years and exhausted every idea they have had about this. Alderman Kent stated this is an opportunity for those things to be eliminated and to get a developer who wants to come into the community who might inspire other developers to come and take a chance on this community. This project does not displace anybody. He thought the developer would be a contributor and the City will benefit from. He didn't think children play in the area which is the old testing lane streets nor in the grassy area used by landscapers and scavengers to dump. He stated the north end of the 5th Ward has a lot of park land in it and many vacant buildings that would be excellent for batting cages or for other recreational activities. Mr. Powers came when nobody else came. Alderman Kent has full confidence in Mr. Powers and urged approval of this request.

Alderman Newman pointed out this district is zoned C2. On the list of uses, there is retail establishments, and he didn't know where batting cages come in. Nobody has come forth proposing a recreational use in the years this property has been C2. There are some who hope for it and he does too because those are good uses, but the Alderman in the 5th Ward and others are struggling to get investment there. In this case, the applicant had to go to another unit of government, the MWRD, who owns the land and get their approval. He has mortgage financing so he has convinced a bank of the viability of this project and it will provide some jobs. It has been on the table for a year; will put property on the tax rolls that is currently off and it will show that once Evanston gets involved with a business, that they stick with that business, despite other governmental bodies who give trouble. Basically, the time for neighbors to object was a long time ago and they did not come. This applicant has sunk a lot of money into this project and the City hopes, by being supportive, that something can be done on land where nobody has done anything. If the city is interested in batting cages, this should be included in the zoning ordinance so that people know that in certain districts the city is interested in that type of business.

Voice vote on request, motion carried.

Ordinance 94-O-97 - Amendment to the Dangerous Building Code - Consideration of proposed Ordinance 94-O-97, which calls for informational signage outside substandard buildings.

Alderman Engelman stated this ordinance was, again, held in committee, and staff has been asked to have a draft for the October 13 meeting where they anticipate introduction.

Mayor Morton reminded Council there would be an Executive Session this evening and that there will be a Special Council meeting on Tuesday, October 14 at 5:00 p.m. for goal setting. She also noted the next Regular Council meeting is October 13, not October 8 as listed on the agenda.

CALL OF THE WARDS:

Alderman Kent asked all to support the ETHS student March Against Violence on Sunday October 12. He apologized

for missing the brunch and game at NU, but said he was at the best game Saturday - 4th and 5th grade flag football. Washington School won against Walker School. He encouraged everybody to come out in the future. He asked to be put on the Recreation meeting agenda on Wednesday because they have to get the playoffs back into the 5th grade flag football season. He thanked them for their support.

Alderman Engelman stated everyone agrees Evanston is a beautiful city and that the City should congratulate Miss America, Kate Shindle who is deserving of recognition. Alderman Engelman thanked Northwestern University for their generosity in distributing tickets to the last football game to residents around Ryan Field as a way of thanking them for putting up with difficult construction over the past year. He congratulated NU and the City's building staff for the excellent job they did with a difficult project in a short period of time. He noted to do the amount of work on that stadium required a lot of cooperation among residents, staff and NU and it was done on time and safely. Everybody deserves congratulations, especially Mr. Wolinski who made his own late-night inspection. Alderman Engelman thanked NU on behalf of all those on Council who were fortunate enough to make the game Saturday and noted NU could not pull off a miracle and win.

Alderman Engelman made a reference to the P&D Committee to refer to the Plan Commission that the Zoning Ordinance be amended to provide for office uses as a special use in single-family residences that are located in R6 Districts adjacent to or abut business Districts. The community and Council have said that Evanston lacks quality office space. The community has also said that buffer zones are needed between business districts and residential districts. The City is proud of its housing stock and is a preservation city. He thought they need to preserve some of the architecturally significant old single-family residences that now are located in R6 Districts, surrounded by apartment buildings. These homes will be torn down and apartment buildings put up due to density. He thought these homes could be saved if office uses were allowed in them. There would be minimal impact on neighbors and such use would provide a low-impact buffer between businesses and residents. He said a survey done last year by Michael Guttman, Assistant to the City Manager, showed several dozen such homes in Evanston.

Alderman Rainey thanked the PEN neighborhood group for their work on the Oakton/Callan Embankment Project - especially Karen Frazier, Christine Benn and Judy Lewin who persevered for over a year. She noted Council passed a historic Ordinance this evening without fanfare - the intergovernmental agreement with the City of Chicago to develop the design phase for a streetscape for Howard Street. She stated that Evanston is cooperating with the City of Chicago, which is taking the lead, and thanked Assistant City Manager Judith Aiello for all her work on this project.

Alderman Rainey directed comments to the P&D Committee about proposed ordinance 94-0-97. Alderman Rainey reported she raised the prospect of informational signage outside substandard buildings to about 30 community persons at a planning meeting in whose neighborhood such signs would be posted. She said they were mortified and that kind of attention to the neighborhood is unwanted. What neighbors want is the kind of attention that is beginning to occur, numbers of people appearing in housing court. She said the Evanston Neighborhood Conference prints a flyer in English and Spanish every week there is a court appearance. Hundreds of flyers are distributed through Karen Chavers and Jim Wolinski, Director of Community Development, supplies a bus to transport people to court. Major suggestions were that people should be put on notice that these landlords have slum buildings. It was suggested that the ordinance provide for an ad or notice on a real estate page such as the one in *Pioneer Press* which indicates that code violations exist in the buildings owned by [name of owner] and managed by [name of manager] and for further information contact the City for a list of violations. Another suggestion from the group was that a sign be posted at the home of the owner and the real estate manager identifying them with substandard buildings. Alderman Rainey pointed out that the Evanston Landlord and Tenant Ordinance requires that an owner of a multi-family building provide prospective tenants with a copy of all existing code violations for the unit being rented in addition to code violations cited in the common areas of the building. She doubted that few landlords observe this provision.

Alderman Rainey announced Friday, September 26, several housing cases are coming up in Jerome Orbach's court room and she would appreciate any support Council can give.

Alderman Newman asked City Manager Crum to take note of a recent discussion at the Human Services Committee

where the Arts Council was asked what interaction they have with the Fleetwood-Jourdain Theatre. They were told there is no relationship. He thinks there has to be a staff effort to create that interaction. He would like the Fleetwood-Jourdain Theatre to perform at the Ethnic Arts Festival. That theatre has a large deficit and he thought the Arts Council and staff should work closely so there is interaction between one part of the City government and the other. The Arts Council should be supportive of the Fleetwood-Jourdain Theatre.

Alderman Newman could not attend the NU football game on Saturday. Everything is not rosy at NU he said and he enjoys working with the University. He read in the newspaper that NU broke the law when they remodeled the stadium and hopes the City collects the fine levied on them. He said there is no entity in the community, no matter how large, that should be allowed to break the law. He was glad that the City instituted the fine because people deserve equal enforcement of the law and he respects the Department Head who did that in the City. He stated the community is fortunate to have the students returning to the community. However, there are some students who congregate in large numbers and wake people up and somehow that becomes the responsibility of the Evanston Police Department. He has letters from residents who were disturbed over the past weekend. On Saturday night there were no less than 100 people congregated on the corner of Foster and Sherman. NU has a responsibility to assist the City in monitoring residential neighborhoods surrounding the University so this does not occur. He is not satisfied that is being taken as seriously as it should be by NU. He was told all residents have to do is call the University Police. But he found it is not easy for residents to find the telephone number of the University Police. He noted an interesting article in *The Daily Northwestern* about Foster-Walker and the green space that is to be removed by the University to make a parking area. He heard at a well-attended neighborhood meeting residents suggesting that the University needs to take responsibility for helping the City along Sheridan Road. The University also needs to take affirmative action so that the seven students living on Foster Street paying \$4,900 a month in rent to the worst looking building does not take place. The University also needs to become active with the hundreds of students who violate parking laws on Orrington Avenue. He noted at Foster and Maple an owner of a business was selling alcohol without a liquor license and no permit. The City got complaints from residents about this building being used in an illegal way. He wants to see violations of the liquor ordinance enforced. The community cannot tolerate such a business in this area where slumlords operate buildings. There needs to be cooperation from the University and he hopes they get the message. The relationship between the University and the City is important regarding noise, parties and the condition of real estate.

Alderman Moran announced the scheduled meeting of the Emergency 911 Board on Thursday, September 25 would not be held and was deferred until a later time.

Mayor Morton asked the A&PW Committee to consider what can be done to get relief to citizens from nuisance animals such as skunks and opossums inundating the City. She stated that on McCormick Boulevard deer fly across the street and a citizen had put up a sign "deer crossing." She stated unwanted animals are a community problem and need to be dealt with.

Alderman Newman agreed with Mayor Morton that nuisance animals are a problem and noted that when garbage cans have holes there is a free lunch for all the animals.

Alderman Drummer pointed out that Alderman Kent had a reference about nuisance animals six months ago; skunks are the only animals that are euthanized and that holes in garbage cans come from squirrels.

Alderman Engelman moved that Council recess into Executive Session for the purpose of considering litigation and real estate matters. Seconded by Alderman Moran. Roll call. Voting aye - Drummer, Wynne, Bernstein, Kent, Moran, Engelman, Rainey, Newman. Voting nay - none. Motion carried. (8-0)

The Council recessed into Executive Session at 11:16 p.m. and reconvened in Open Session at 12:01 a.m.

There being no further business to come before the Council, Mayor Morton adjourned the meeting at 12:02 a.m.

Mary P. Morris

City Clerk