



CITY COUNCIL

November 12, 2012

ROLL CALL – PRESENT: Alderman Grover Alderman Braithwaite
Alderman Rainey Alderman Wilson
Alderman Burrus Alderman Holmes
Alderman Fiske Alderman Tendam

ABSENT: Alderman Wynne

A quorum was present

PRESIDING: Mayor Elizabeth B. Tisdahl

The Regular Meeting of the City Council was called to order by Mayor Tisdahl, Monday, November 12, 2012 at 7:48 p.m. in Council Chamber.

Mayor Tisdahl announced the opening of a Public Hearing on the Chicago Main Tax Increment Financing District and called on Johanna Nyden, economic development coordinator. Ms Nyden introduced Bob Rychlicki of Kane McKenna who reported that the City complied with the statutory requirements of the TIF Act.

Ms. Nyden continued by reporting that the Joint Review Board met on October 2nd and the members voted unanimously to support the district. She then gave a brief explanation on why the TIF district was needed.

Mr. Rychlicki finished with an overview of the eligibility of the proposed tax district.

Mayor Tisdahl called on several residents who signed up to speak on the subject: Shaun Chinsky, Betty Ester, Allan Price, and John Szustek expressed their thoughts both for and against the TIF District. Being no further comments from residents, Mayor Tisdahl closed the Public Hearing.

Mayor's Public Announcements: None

City Manager's Public Announcements: City Manager Bobkiewicz called on Carolyn Dellutri of Downtown Evanston to talk about upcoming holiday events. She announced the Holiday Bash in Downtown Evanston would take place on Friday, November 16th from 4 pm to 9 pm. The tree lighting ceremony with Mayor Tisdahl at Fountain Square will be at 5:30 pm. She handed out a colorful brochure highlighting the different events taking place, along with names of the participating businesses, organizations and groups. She pointed out that the Chamber of Commerce is sponsoring free trolley rides throughout downtown.

Mr. Bobkiewicz then called on Suzette Robinson to remind everyone of the holiday recycling and garbage collection dates.

City Clerk's Announcements: None

Citizen Comment

Chris Oakley, Richard Fler, Fernando Ferrer, Keith Sheahan, Sigrid Pilgrim, Carl Bova, Virginia Mann, Judy Chudek, Matt Mirapaul, Dennis Grygotis (sp?), Christine Sammel, Lois Samuels, Ariel Barbick, Karen Straus, Stephanie Smith, Joshua Huppert, Nina Cudecki, Bill Schwimmer, Carol (inaudible), James Berkenstock, Linda Damashek, Ann Jennett and Jack Weiss (spoke also on behalf of Garry Schumacher) all expressed their concerns and views on the proposed ordinances for the Northwestern University project and lease agreement and the Chase Bank issue at 2628 Gross Point Road.

Maggie Weiss and Jack Lerman spoke on the expansion of the Piven Theater at Noyes Cultural Arts Center. Padma Rao and B.K. Rao expressed their views on various actions of the City Council. Natalia Mercado and Jim Heunik of Children’s Advocacy Center announced that new services will be offered at their satellite office at Family Focus.

SPECIAL ORDERS OF BUSINESS

(SP1) Selection of Final Project Teams to Negotiate Design, Build, Finance and Operate an Ice Arena and Community Center within Crown Park

The Crown Park Community Center Evaluation Committee recommends that the City Council direct the City Manager to initiate negotiations with two prequalified respondents, Crown Park Community Partnership (William Blair) and McCaffery Evanston Recreation LLC (McCaffery Interests), in order to obtain a best and final offer to Design, Build, Finance and Operate an Ice Rink and Community Center within Crown Park.

For Action

Mr. Bobkiewicz called upon Doug Gaynor to update Council. Alderman Grover moved and Alderman Wilson seconded the motion to initiate negotiations with vendors. All in favor.

CONSENT AGENDA

(M1) Approval of Minutes of the Regular City Council Meeting of October 22, 2012

ADMINISTRATION & PUBLIC WORKS COMMITTEE

(A1)	City of Evanston Payroll through	10/21/12	\$2,600,475.68
(A2)	City of Evanston Bills FY2012	11/13/12	\$5,689,801.77
	Credit Card Activity through September 30, 2012		\$ 116,292.41

(A3.2) Approval of Contracts with Smith Maintenance Company and Total Building Services for Janitorial Services at Lorraine H. Morton Civic Center, Evanston Service Center, Main Library, Police Headquarters, and Police Outpost (RFP 12-171)

Staff recommends City Council authorize the City Manager to execute contracts for Janitorial Services with Smith Maintenance Company (205 W. Randolph Street, Suite 925, Chicago, IL) in the annual amount of \$114,384.17 for services at the Civic

Center, Service Center, Police Headquarters, Fire Headquarters and Police Outpost, and with Total Building Services (340 Bennett Road, Elk Grove Village, IL) in the annual amount of \$85,920 for services at the Main Library. Funding is provided by each facility's approved operating budget.

For Action

(A3.3) Approval of Contract Extension with Third Millennium Associates, Inc. for City Vehicle Sticker and Pet License Print, Mail and Fulfillment Services

Staff recommends City Council authorize the City Manager to sign a contract extension for City Vehicle Sticker and Pet License print, mail and fulfillment services with Third Millennium Associates, Inc. (4200 Cantera Drive, Suite 105, Warrenville, IL) in the amount of \$48,042.54. Funding is provided by Finance Division Account 1910.65045.

For Action

(A3.4) Approval of Contracts for Snow Towing Operations

Staff recommends approval of award of contract(s) for Snow Towing Services in an amount not to exceed \$75,000, which is the estimated total for the 2012-2013 snow season. Funding is provided by General Fund Account 2680.62451, Towing and Booting Contracts.

For Action

(A3.5) Approval of Contract with Municipal Code Corporation MCCInnovations for Document Management Software, Installation and Maintenance Services (RFP 12-111)

Staff recommends City Council authorize the City Manager to execute a contract for the installation of document management software with Municipal Code Corporation MCCInnovations (1700 Capital Circle SW, Tallahassee, FL) in the amount of \$83,122.50. Funding is provided by the Federal Cook County Fiscal Year 2009 Justice Assistance Stimulus Grant/Cook County Funding for Technology Improvement in the amount of \$69,405, and \$13,717.50 from Account 1932.62320 Computer License and Support.

For Action

(A4) Resolution 78-R-12 Authorizing the City Manager to Execute a Single Source Professional Design Build Service Agreement with Electrical Resource Management, Inc. for Sherman Plaza Parking Garage Lighting Improvements

Staff recommends that City Council approve Resolution 78-R-12 authorizing the City Manager to execute a single source professional design build service agreement to complete lighting improvements at the Sherman Plaza Parking Garage with Electrical Resource Management, Inc. (703 Childs Street, Wheaton, IL) in the amount of \$451,665. Funding will be initially provided by Parking Fund Account 700506.65515, and reimbursed by the Illinois Department of Commerce and Economic Opportunity.

For Action

(A6) Resolution 80-R-12, Authorizing the Service Center Apartment Lease Agreement

Staff recommends that Council approve Resolution 80-R-12 authorizing the City Manager to sign a lease for the one bedroom apartment on the second floor of the Service Center, 2020 Asbury Avenue, with Mr. Homayoon Pirooz from November 26, 2012 through November 26, 2013.

For Action

(A7) Ordinance 62-O-12; Amending the City Code and the Civil Service Commission Rules

Staff requests consideration of Ordinance 62-O-12, which amends Title 2, Chapter 3 of the City Code to address state law amendments to the Fire Department hiring process, expands the number and role of the commissioners in the hiring process for new police officers and firefighters, and addresses changes in the hiring practices within the Division of Human Resources. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action

(A8) Ordinance 116-O-12, to Add “Drive” as an Available Street Designation

Staff recommends adoption of Ordinance 116-O-12 which amends Section 7-2-3 of the Evanston City Code of 2012, as amended, (the “Code”) to include “drive” as an available street designation. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action

(A9) Ordinance 126-O-12, Amending Ordinance 28-O-11 Authorizing the City to Borrow Funds from the Illinois Environmental Protection Agency Water Pollution Control Loan Program

Staff recommends approval of Ordinance 126-O-12 modifying previously adopted Ordinance 28-O-11 that authorized the City to borrow funds from the Illinois Environmental Protection Agency Water Pollution Control Loan Program for the construction of the Large Diameter Sewer Rehabilitation Phase I project. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action

(A10) Ordinance 122-O-12; Increasing the Number of Class Y Liquor Licenses Permitting Issuance to Wine Goddess, LLC

Staff recommends adoption of Ordinance 122-O-12, which amends Subsection 3-4-6-(Y) of the Evanston City Code of 2012 (“City Code”), as amended, to increase the number of Class Y liquor licenses from two to three to permit issuance to Wine Goddess, LLC, 702 Main Street. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action

PLANNING & DEVELOPMENT COMMITTEE

(P2) Ordinance 95-O-12, Amending the Special Use for a Sheltered/Skilled Care Home at 2520 Gross Point Road in the C2 Zoning District (Alden Estates)

Staff recommends the adoption of proposed Ordinance 95-O-12 that was requested by Alden Estates to permit greater flexibility in the management of the 99 beds within their facility.

For Introduction

(P5) Ordinance 120-O-12, Granting a Special Use for Northwestern University Scoreboards at 2250 Sheridan Road

Zoning Board of Appeals, Sign Review and Appeals Board, and City staff recommend the adoption of Ordinance 120-O-12 granting a special use permit for scoreboards at 2250 Sheridan Road. The applicant has complied with all zoning requirements and meets all of the standards of a Special Use for the T2 District. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action

(P6) Ordinance 121-O-12, Granting a Special Use for a Type 2 Restaurant at 843 Dodge Avenue (The Famous Burrito)

Zoning Board of Appeals and City staff recommend the adoption of Ordinance 121-O-12 granting a special use permit for the operation of a Type 2 Restaurant at 843 Dodge Avenue. The applicant plans to open *The Famous Burrito*, an owner-operated eat-in and takeout restaurant on the southeast corner of Dodge Avenue and Main Street. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action

HUMAN SERVICES

(H1) Township of Evanston October 2012 Bills

Township of Evanston Supervisor recommends that City Council approve the Township of Evanston bills, payroll, and medical payments for the month of October 2012 in the amount of \$180,038.92. Funding is provided by the Township budget.

For Action

(H2) Ordinance 117-O-12, Amending the Evanston City Code to Make Certain Changes to the Evanston Public Library Board's Authority

Human Services Committee and staff recommend consideration and approval of Ordinance 117-O-12. This ordinance was approved by the Human Services Committee on November 5, 2012.

For Action

(H3) Ordinance 111-O-12, Establishing the Americans with Disabilities Act Advisory Board

Human Services Committee and staff recommend approval of Ordinance 111-O-12 establishing the Americans with Disabilities Act Advisory Board to assist the City of Evanston with prioritizing ADA issues and infrastructure improvements. This

ordinance was approved by the Human Services Committee on November 5, 2012.
For Introduction

HOUSING & COMMUNITY DEVELOPMENT ACT COMMITTEE

(O1) Resolution 76-R-12, Reallocating Unspent 2009, 2010 and 2011 CDBG Funds

The Housing and Community Development Act Committee and staff recommend approval of Resolution 76-R-12 amending the 2009, 2010 and 2011 Community Development Block Grant (CDBG) programs and authorizing the reallocation of \$33,100 in unexpended funds to the City's 2013 CDBG program.

For Action

(O2) Resolution 75-R-12, Approving the 2013 One Year Action Plan

The Housing and Community Development Act Committee and staff recommend adoption of Resolution 75-R-12 approving the One Year Action Plan for FY 2013 and the estimated FY 2013 Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Solutions Grant (ESG) funds totaling \$1,908,900. Funding is provided by the City's estimated CDBG, HOME and ESG entitlement grants; unspent CDBG funds from prior years; CDBG and HOME program income; and required matching funds for HOME and ESG from other public and private sources. Total estimated funding is \$2,508,200.

For Action

Motion was made and seconded to approve Consent Agenda. Motion passed on voice vote 8-1.

ITEMS FOR DISCUSSION

(A3.1) Approval of Contract with Wiss, Janney, Elstner Associates, Inc. for Professional Consulting Services for the 2013 Sherman Plaza Façade Repairs (RFP 12-163)

Staff recommends that City Council authorize the City Manager to execute a contract for the 2013 Sherman Plaza Façade Repairs with Wiss, Janney, Elstner Associates, Inc. (330 Pfingsten Road, Northbrook, IL) at a total cost of \$42,400. Funding is provided by the FY2012 Capital Improvement Program Project #416138 with a budget of \$800,000.

For Action Off Consent Agenda

Alderman Grover called on Paul D'Agostino and Rickey Voss to answer questions raised by Council. Motion was moved and seconded to approve the contract. Motion passed on voice vote 8-0.

(A5) Resolution 79-R-12 Authorizing the City Manager to Execute the Right-of-Way Lease Agreement with VFJ Enterprises, Inc. d/b/a Chicago's Home of Chicken and Waffles

Staff recommends that City Council adopt Resolution 79-R-12 authorizing the City Manager to execute a right-of-way lease agreement with VFJ Enterprises, Inc, d/b/a Chicago's Home of Chicken and Waffles (2424 Dempster Street, Evanston, IL). The

lease is for an initial term of five (5) years for 39 parking spaces and the drive aisle on McDaniel Avenue in the public right-of-way for \$11,070 annually.

For Action **Off Consent Agenda**

Motion was moved and seconded to pass the resolution with amendments. Motion passed on voice vote 8-0.

(A11) Ordinance 128-O-12: Visitors Center Fire Lane Construction Project Agreement and Lease Agreement with Northwestern University

Staff requests consideration of Ordinance 128-O-12, authorizing the City Manager to negotiate and execute a Project Agreement and a Lease Agreement with Northwestern University for City-owned property located at the northeast corner of Sheridan Road and Campus Drive. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action **Off Consent Agenda**

Alderman Grover moved to propose an amendment to remove the lease arrangement for the construction, maintenance and use of the bike path and have Northwestern build the path, pay for the maintenance, and pay \$10,000 per year for 25 years. Motion was seconded. Alderman Fiske is totally against this amendment for several reasons. She wants the Planning & Development Committee to take a closer look at the public trust doctrine.

Motion passed 6-1. There was 1 abstention.

(P1) Approval of a First-time Application for a Sidewalk Café (SWC) for Pret A Manger (1701 Sherman Ave.)

The Site Plan and Appearance Review Committee (SPAARC) and City staff recommend consideration for approval of a first-time application for a sidewalk café (SWC) permit for Pret A Manger, a Type 2 Restaurant located at 1701 Sherman Ave.

For Action **Off Consent Agenda**

Alderman Burrus reported this will be going back to committee.

(P3) Ordinance 69-O-12 Amending the Zoning Ordinance to Remove the Prohibition on Drive-Through as a Special Use on the Property Located at 2628 Gross Point Road (Chase Bank)

Evanston Plan Commission and staff recommend that the City Council approve Ordinance 69-O-12 to amend the Zoning Ordinance of the Central Street Overlay District (oCSC) Subarea 6, to allow consideration of a Chase Bank drive-through as a special use only on the parcel at 2628 Gross Point Road. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action **Off Consent Agenda**

After some remarks by several aldermen, a motion was made and seconded to adopt the ordinance. Motion passed on voice vote 7 -1.

(P4) Ordinance 119-O-12 Amending the Approved Planned Development at 635 Chicago Avenue (Walgreens)

City staff recommends the adoption of Ordinance 119-O-12, amending the Planned Development as granted in Ordinance 36-O-12 adopted May 14, 2012 by the Evanston City Council for the development of a new Walgreens at 635 Chicago Avenue. This ordinance was introduced at the October 22, 2012 City Council meeting.

For Action Off Consent Agenda

Alderman Fiske passed on Alderman Wynne's request that we amend the ordinance to allow wind turbines to be increased from 26' to 30'. Motion was made and seconded to adopt the ordinance with the amendment. Motion passed on voice vote 8-0.

Call of the Wards

Ward 7 - Alderman Grover: she thanked residents who voted to support the referendum and then congratulated local state legislators who won the election.

Ward 8 – Alderman Rainey: she thanked Sarah Flax and her department, and her fellow aldermen who helped establish the one year action plan; she mentioned that a very well-attended landlord meeting was held the previous night; she announced that there would be a pre-bid meeting for the bidding on the theater construction on Thursday, 10:00 a.m. @ 727-729 Howard St.

Ward 9 – Alderman Burrus: No report

Ward 1 – Alderman Fiske: she thanked all who came out for her neighborhood meeting

Ward 2 – Alderman Braithwaite: he thanked residents who came to the last Ward meeting; he congratulated the officials who won in the election; he stated it was a busy time for local businesses in 2nd Ward and welcomed Northwestern Medical Center in downtown Evanston, the Children's Advocacy Center and The Famous Burrito.

Ward 4 – Alderman Wilson: he reminded everyone of The Flying Turkey 5K on Thanksgiving morning @ 9:00 a.m.

Ward 5 – Alderman Holmes: she reminded everyone about her upcoming 5th Ward meeting; she also wanted residents to know that although they may not always be in agreement, she and her colleagues always do listen to citizen's comments, emails, etc. and that they have to look at what will benefit the overall community and not just one neighborhood.

Ward 5 – Alderman Tendam: he agreed with Alderman Holmes' comment

Alderman Wilson moved to adjourn to Executive Session. It was seconded. The meeting adjourned at 10:33 p.m.

Respectfully submitted by Elaine Autwell, Deputy City Clerk