



AGENDA
Rules Committee
Tuesday, January 21, 2020

Lorraine H. Morton Civic Center, James C. Lytle City Council Chambers, Room 2800
6:00 PM

Page

(I) CALL TO ORDER/DECLARATION OF A QUORUM - ALDERMAN FLEMING

(II) PUBLIC COMMENT

(III) APPROVAL OF MINUTES OF REGULAR MEETING MINUTES OF THE OCTOBER 7, 2019 RULES COMMITTEE

RM1. Staff recommends approval of the Minutes of the October 7, 2019 Rules Committee Meeting.

For Action

(IV) ITEMS FOR CONSIDERATION

R1. Approval of the 2020 Rules Committee Meeting Schedule 5

The Deputy City Manager recommends approval of the 2020 Rules Committee meeting schedule.

For Action

[2020 Rules Committee Meeting Schedule](#)

- R2. **Appointment of the City Council Liaison to the Animal Welfare Board** 6
 Staff recommends appointing Alderman Fiske as the City Council Liaison to the Animal Welfare Board.
For Action
[Appointment of the City Council Liaison to the Animal Welfare Board](#)
- R3. **Resolution 12-R-20, Amending City Council Rules to Address Tabling an Item to a Date Certain** 7 - 9
 At the direction of City Council, staff submits for consideration adoption of Resolution 12-R-20, Amending City Council Rule 18.6 to Modify the Method to Table a Matter to a Date Certain before the Council and its Committees.
For Action
[Resolution 12-R-20, Amending City Council Rules to Address Tabling an Item to a Date Certain](#)
- R4. **Ordinance 18-O-20, Amending Title 1, Chapter 8, "City Manager"** 10 - 12
 At the direction of City Council, staff submits for consideration adoption of Ordinance 18-O-20, Amending Title 1, Chapter 8 "City Manager."
For Action
[Ordinance 18-O-20, Amending Title 1, Chapter 8, City Manager](#)

(V) ITEMS FOR DISCUSSION

- R5. **Update to Rules Committee Regarding City Council Packet Release Date** 13
 Staff recommends that the release deadline of the City Council packet move to noon on the Thursday prior to the Monday night meeting. Staff will continue to make a best effort to release packets on Wednesdays but will use Thursdays when necessary.
For Discussion
[Update to Rules Committee Regarding City Council Packet Release Date](#)
- R6. **Discussion Regarding Citizen Comment on Non-Agenda Items** 14
 Staff seeks direction from the Rules Committee to address the issue of citizen comment on non-agenda items.
For Discussion
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- R7. Discussion Regarding Use of Ward/Mayoral Newsletters** 15 - 16
- Per the referral from Alderman Fleming, staff seeks direction from the Rules Committee regarding the following two issues: (1) the use of Ward/Mayoral Newsletters by elected officials to express personal opinions and (2) whether or not outgoing elected officials have access to the list of recipients or if the City holds it over for the next alderman.
- For Discussion**
[Discussion Regarding Use of Ward/Mayoral Newsletters](#)
- R8. Discussion Regarding Playing Music at the Beginning of a Public Meeting** 17
- Staff recommends that any music to be played should be vetted by the City's Law Department for compliance with copyright laws.
- For Discussion**
[Discussion Regarding Playing Music at the Beginning of a Public Meeting](#)
- R9. Discussion of Amendments to City Council Rule - 6.4 to Address Requests for Presentations at the Planning & Development Committee** 18 - 20
- Staff submits for consideration the draft amendment to City Council Rule 6.4 with Resolution 11-R-20 to address presentations at Planning & Development Committee on zoning issues.
- For Action**
[Discussion of Amendments to City Council Rule - 6.4 to Address Requests for Presentations at the Planning & Development Committee](#)
- R10. Discussion Regarding Suspension of the Rules for Introduction and Action** 21
- Staff recommends that the Rules Committee discuss City Council Rule 3.2 pertaining to the suspension of rules for an item to be introduced and for action at the same meeting.
- For Discussion**
[Discussion Regarding Suspension of the Rules for Introduction and Action](#)
- R11. Discussion Regarding Placing Citizen Resolutions on the City Council Agenda** 22
- Per the referral from Alderman Fiske, staff seeks direction to address the issue of whether or not to place citizen resolutions on the City Council agenda that the City Council does not have jurisdiction over.
- For Discussion**
[Discussion Regarding Placing Citizen Resolutions on the City Council Agenda](#)

R12. Discussion Regarding City of Evanston Events and Program Bearing the Names of Elected Officials 23

Per the referral from Alderman Suffredin, staff seeks direction from the Rules Committee to address the issue of whether events and programs in the City of Evanston should bear the name of elected officials.

For Discussion

[Discussion Regarding City of Evanston Events and Program Bearing the Names of Elected Officials](#)

(VI) NEW BUSINESS

R13. Discussion Regarding the Creation of the Northwestern University Athletics Neighborhood Committee

R14. Discussion Regarding Maximum Number of Referrals from Aldermen Per Year

(VII) ITEMS FOR COMMUNICATION

(VIII) ADJOURNMENT



Memorandum

To: Members of the Rules Committee
From: Kimberly Richardson, Deputy City Manager
Subject: Approval of the 2020 Rules Committee Meeting Schedule
Date: January 21, 2020

Recommended Action:

The Deputy City Manager recommends approval of the 2020 Rules Committee meeting schedule.

Council Action:

For Action

Summary:

In accordance with the Open Meetings Act, at the beginning of each calendar, the City Council must give public notice of its regular meeting schedule.

The Rules Committee meeting is held on the first Monday of every other month (unless as otherwise noted) at 6:00 p.m. in the Council Chambers of the Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston, IL.

The 2020 dates are as follows:

- Tuesday, January 21, 2020
- Monday, March 2, 2020
- Monday, May 4, 2020
- Monday, July 6, 2020
- Wednesday, September 9, 2020
- Monday, November 2, 2020



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Appointment of the City Council Liaison to the Animal Welfare Board
Date: January 21, 2020

Recommended Action:

Staff recommends appointing Alderman Fiske as the City Council Liaison to the Animal Welfare Board.

Council Action:

For Action

Summary:

Alderman Braithwaite has requested that he no longer be the City Council liaison for the Animal Welfare Board. Staff recommends that the Rules Committee appoint Alderman Fiske as the liaison to the Animal Welfare Board.



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Resolution 12-R-20, Amending City Council Rules to Address Tabling an Item to a Date Certain
Date: January 21, 2020

Recommended Action:

At the direction of City Council, staff submits for consideration adoption of Resolution 12-R-20, Amending City Council Rule 18.6 to Modify the Method to Table a Matter to a Date Certain before the Council and its Committees.

Council Action:

For Action

Summary:

Resolution 12-R-20 updates the City Council rules to require that if an item is tabled, it must be tabled to a date certain.

Attachments:

[Resolution 12-R-20 Amending City Council Rules Pertaining to Tabling an Item to a Date Certain](#)

01/13/2020

12-R-20

A RESOLUTION

Amending City Council Rule 18.6 to Modify the Method to Table a Matter to a Date Certain before the Council and its Committees

WHEREAS, the City Council amends the City Council Rules and Organization of the City Council of the City of Evanston (“City Council Rules”) from time to time; and

WHEREAS, currently the City Council can utilize the motion to hold (18.12) and motion to table (18.6) to move an item from discussion to a future meeting; and

WHEREAS, the City Council finds it is best to revise the City Council Rules to provide a clear method for utilizing a motion to table,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1. Rule 18.6 within the “Motions” section of the City Council Rules is hereby amended to read as follows:

18.6 A motion to table any matter is not debatable. If adopted by majority vote of the Aldermen present, all further debate on the subject shall end. The matter must be tabled to a future date certain. ~~may be tabled to a later point in the same meeting or to a specific subsequent regular council meeting.~~

SECTION 2. That this Resolution 12-R-20 shall be in full force and effect from and after its passage and approval in the manner provided by law.

Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

Devon Reid, City Clerk

Michelle L. Masoncup, Corporation
Counsel

Adopted: _____, 2020



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Ordinance 18-O-20, Amending Title 1, Chapter 8, "City Manager"
Date: January 21, 2020

Recommended Action:

At the direction of City Council, staff submits for consideration adoption of Ordinance 18-O-20, Amending Title 1, Chapter 8 "City Manager."

Council Action:

For Action

Summary:

Ordinance 18-O-20 updates the City Code to match the City Council rules pertaining to removal of a City Manager. This update specifies that removal of a City Manager requires a vote of seven or more Alderman.

Attachments:

[Ordinance 18-O-20 Amending Title 1, Chapter 8, City Manager](#)

18-O-20

AN ORDINANCE

Amending Title 1, Chapter 8 “City Manager”

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: City Code Title 1, Chapter 8, “City Manager,” of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

1-8-1. - APPOINTMENT; TERM; OFFICE.

The City Council shall appoint a City Manager who shall be the administrative head of the Municipal government and who shall be responsible for the efficient administration of all departments of the City. The City Manager shall be appointed for an indefinite term, as provided by 65 ILCS 5/5-3-7 and appointed without regard to his/her political beliefs and need not be a resident of the City when appointed.

The City Manager shall maintain an office in the Civic Center and shall spend such time in the performance of his/her duties as may be required by the City Council.

The City Manager may, at any time, be removed from office by a majority vote of seven or more of the members of the City Council.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: Ordinance 18-O-20 shall be in full force and effect after its passage and approval.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2020

Approved:

Adopted: _____, 2020

_____, 2020

Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

Devon Reid, City Clerk

Michelle L. Masoncup, Corporation
Counsel



Memorandum

To: Members of the Rules Committee
From: Erika Storlie, Interim City Manager
Subject: Update to Rules Committee Regarding City Council Packet Release Date
Date: January 21, 2020

Recommended Action:

Staff recommends that the release deadline of the City Council packet move to noon on the Thursday prior to the Monday night meeting. Staff will continue to make a best effort to release packets on Wednesdays but will use Thursdays when necessary.

Council Action:

For Discussion

Summary:

Currently, the City Council and standing committee agendas and packets are released on Wednesday of the week prior to the Monday night meeting. This was discussed last summer and due to the occasional release of packets on Fridays, the direction at the time was to commit to Wednesday packet releases.

Staff is requesting to move the release date to Thursdays and will make a best effort to continue provide packets on Wednesdays. If Thursday is necessary, then it will be released by noon.

Currently in order to compile the packet to make the Wednesday deadline, all agenda items are due the Monday prior at 8am. This precludes any items from being added that may get approved at a City Council meeting later that evening. The Thursday date provides a little more time to put those items in if requested and to also gather any other information that is coming from other committees the prior week.



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion Regarding Citizen Comment on Non-Agenda Items
Date: January 21, 2020

Recommended Action:

Staff seeks direction from the Rules Committee to address the issue of citizen comment on non-agenda items.

Council Action:

For Discussion

Summary:

In an effort to streamline City Council meetings, staff seeks direction pertaining to non-agenda item citizen comment. One option would be to place non-agenda item citizen comment at the end of the City Council meeting in order to streamline the efficiency of the public meeting, but to still allow for input from citizens. Staff seeks further direction from the Rules Committee.



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion Regarding Use of Ward/Mayoral Newsletters
Date: January 21, 2020

Recommended Action:

Per the referral from Alderman Fleming, staff seeks direction from the Rules Committee regarding the following two issues: (1) the use of Ward/Mayoral Newsletters by elected officials to express personal opinions and (2) whether or not outgoing elected officials have access to the list of recipients or if the City holds it over for the next alderman.

Council Action:

For Discussion

Summary:

The City's Ward/Mayoral newsletters are often utilized by elected officials to give ward-specific updates to residents of their ward and the City. Recently, elected officials have utilized the Ward/Mayoral newsletters to express personal opinions regarding City business. The Rules Committee must discuss and decide whether the City's Ward/Mayoral Newsletters should be utilized to express the personal opinions of individual elected officials. The Ward/Mayoral Newsletters are issued with the City's logo, prepared by the City's staff and sent out via the City's email domain. Additionally, the City maintains and solicits the email list for each Ward/Mayoral Newsletter. The Rules Committee must also discuss and decide whether or not outgoing Alderman/Mayor is able to utilize the list of recipients or if the list stays with the current elected official.

Staff recommends that all City newsletters, with the City logo, compiled using City staff time and sent via the City's email domain should not include personal opinions of elected officials. To include the personal opinions of elected officials on official City electronic letterhead gives the appearance and legal effect that these personal opinions are shared by the City and is an official representation of the City of Evanston. These personal opinions of elected officials have the potential for liability for the City if the opinions pertain to issues that go to future litigation. These personal opinions of elected officials can be seen as official admissions by the City of Evanston and therefore used against the corporation. Staff further recommends that if elected officials wish to share their personal opinions regarding City business with their

constituents, the elected official do so in his/her own capacity, without the City's logo, without use of City staff time and without utilizing the City's email domain.



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion Regarding Playing Music at the Beginning of a Public Meeting
Date: January 21, 2020

Recommended Action:

Staff recommends that any music to be played should be vetted by the City's Law Department for compliance with copyright laws.

Council Action:

For Discussion

Summary:

Alderman Suffredin made a referral to the Rules Committee regarding whether music may be played at the beginning of a public meeting. Staff recommends that all music to be played should be vetted by the City's Law Department for compliance with copyright laws.



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion of Amendments to City Council Rule - 6.4 to Address Requests for Presentations at the Planning & Development Committee
Date: January 21, 2020

Recommended Action:

Staff submits for consideration the draft amendment to City Council Rule 6.4 with Resolution 11-R-20 to address presentations at Planning & Development Committee on zoning issues.

Council Action:

For Action

Summary:

The City Council Rules address public comment parameters, but are silent on requests for presentations on zoning petitions and other zoning matters that typically arise during a Planned Development review process. The chair of the Planning & Development has exercised his/her discretion in the past to permit the applicant and a group seeking to address the Committee with a presentation (typically Power Point).

The Chair sets forth time parameters for groups at the meeting; it would be helpful to have the Council adopt guidelines more formally to provide both sides the information prior to the Committee meeting. This draft rule is limited to Planning & Development committee, staff seeks direction if you would like it expanded to the other committees.

Attachments:

[Resolution 11-R-20 Amending Council Rules - Presentations](#)

11-R-20

A RESOLUTION

**Amending City Council Rule 6.4 to Address Requested Presentations
on Zoning Matters Pending Before the Planning & Development
Committee**

WHEREAS, the City Council amends the City Council Rules and Organization of the City Council of the City of Evanston (“City Council Rules”) from time to time; and

WHEREAS, currently the City Council Rules do not address presentations at the Planning & Development Committee that are requested and outside of the normal public comment; and

WHEREAS, the City Council finds it is best to revise the City Council Rules to provide a clear method for presentations related to zoning matters pending before the Planning & Development Committee,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1. Rule 6.4 within the “Citizen Participation” section of the City Council Rules is hereby amended to read as follows:

6.4 A person invited to address the Council as specified herein, when accorded the floor, shall limit comments to include items within the jurisdiction of the Evanston City Council as determined by the Mayor and be governed by these rules to the extent applicable. Any person who requests to use audio/visual equipment during their comments at City Council committee meetings shall first receive permission from the Committee Chair prior to such use. For zoning matters before the Planning & Development Committee, the petitioner may provide a brief presentation, no more than 10 minutes, to the Committee of its project and application, with advance notice to the City Manager’s Office by 12:00 p.m. the day of the meeting. If there are objectors to the application for zoning, they may collectively address the Committee with a 5 minute

presentation, also with advance notice to the City Manager's Office by 12:00 p.m. the day of the meeting. Any presentation cannot constitute a hearing or an opportunity for testimony or cross examination of witnesses and other evidence.

SECTION 2. That this Resolution 11-R-20 shall be in full force and effect from and after its passage and approval in the manner provided by law.

Stephen H. Hagerty, Mayor

Approved as to form:

Attest:

Devon Reid, City Clerk

Michelle L. Masoncup, Corporation
Counsel

Adopted: _____, 2020



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion Regarding Suspension of the Rules for Introduction and Action
Date: January 21, 2020

Recommended Action:

Staff recommends that the Rules Committee discuss City Council Rule 3.2 pertaining to the suspension of rules for an item to be introduced and for action at the same meeting.

Council Action:

For Discussion

Summary:

Staff seeks direction pertaining to City Council Rule 3.2, which currently reads "[a]ny rule may be temporarily suspended for the matter under consideration at any time by a two-thirds vote of the Aldermen present, except as provided in Rule 20.1." As the rule currently stands, the City Council rules may be suspended at any time for an item to be up for introduction and action at the same meeting. Staff seeks further direction if the Rules Committee desires to update this rule so that an item may only be up for introduction and action if it has been previously noticed for such action.

Sample language of the rule update may read, "[a]ny rule, except for items for introduction and action, which prior notice on the agenda is required to suspend the rules, may be temporarily suspended for the matter under consideration at any time by a two-thirds vote of the Alderman present, except as provided in Rule 20.1."



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion Regarding Placing Citizen Resolutions on the City Council Agenda
Date: January 21, 2020

Recommended Action:

Per the referral from Alderman Fiske, staff seeks direction to address the issue of whether or not to place citizen resolutions on the City Council agenda that the City Council does not have jurisdiction over.

Council Action:

For Discussion

Summary:

Several items have been previously placed on the City Council agenda by request of an Evanston resident pertaining to items that the City Council does not maintain jurisdiction over. Two examples of these types of resolutions include the resolution calling for a treaty on the prohibition of nuclear weapons and the legalization of medical aid in dying. City Council does not have jurisdiction to govern either of these items, which are issues at the State or Federal level. While home rule municipalities have a wide range of authority, home rule communities may only exercise any power and perform any function pertaining to its government and affairs. The Rules Committee must decide if it wishes to continue to hear these items on the City Council agenda to which it does not have jurisdiction or to add a rule against resolutions in which the Council does not have jurisdiction. Staff seeks further direction pertaining to which committee should these items be directed to.



Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion Regarding City of Evanston Events and Program Bearing the Names of Elected Officials
Date: January 21, 2020

Recommended Action:

Per the referral from Alderman Suffredin, staff seeks direction from the Rules Committee to address the issue of whether events and programs in the City of Evanston should bear the name of elected officials.

Council Action:

For Discussion

Summary:

The City of Evanston organizes various programs and events throughout the year including "Mayor's Hagerty's Holiday Food and Toy Drive" and "Mayor Hagerty's Summer Youth Employment Program". Staff seeks direction on the referral.