

CITY COUNCIL

April 8, 2003

ROLL CALL - PRESENT:

Alderman Tisdahl
Alderman Rainey
Alderman Feldman

Alderman Newman
Alderman Jean-Baptiste
Alderman Bernstein
Alderman Moran

A Quorum was present.

**NOT PRESENT AT
ROLL CALL:**

Alderman Kent

ABSENT:

Alderman Wynne

PRESIDING:

Mayor Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton Tuesday, April 8, 2003, at 6:35 p.m. in the Aldermanic Library. Alderman Newman moved that Council convene into Closed Session for the purpose of discussing matters related to collective bargaining, litigation and closed session minutes pursuant to 5ILCS Section 120/2 (c) (2) (11) and (21). Seconded by Alderman Rainey.

(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Roll call. Voting aye – Tisdahl, Rainey, Feldman, Newman, Jean-Baptiste, Bernstein, Moran. Voting nay – none. Motion carried (7-0).

At 7:07 p.m. Alderman Feldman moved to reconvene into Open Session and recess. Seconded by Alderman Bernstein. Motion carried. No nays.

Mayor Morton reconvened the City Council at 9:50 p.m. in the City Council Chamber after the annual Town Meeting.

ANNOUNCEMENTS:

City Manager Roger Crum read a letter from the United Way thanking City of Evanston employees who donated \$17,112.60, an increase of \$1,380 over last year's total, to the annual United Way Campaign. He thanked staff for their contributions, in a difficult time, and Donna Stuckert for heading the successful campaign.

MAYORAL ANNOUNCEMENTS:

Mayor Morton announced that Delores Homes was awarded the Illinois Humanities Council Studs Terkel Humanities Service Award. Helen Heyrmann will receive the 11th Annual Sheriff's Senior Medal of Honor Award, which recognizes Cook County senior citizens who make a difference in their community at the Chicago Cultural Center on April 16.

Mayor Morton noted March was Women's History Month. On March 14, "Woman to Woman, Making a Difference," was awarded by State Treasurer Judy Barr Topinka to Nicki Pearson, who could not be present to receive it. Mayor Morton presented the plaque to Mrs. Pearson for her many contributions toward improving the lives of women and girls in Evanston.

Alderman Feldman said he knew of no one who has had such a profound effect as the result of individual work as Nicki Pearson. He described her as someone who has always symbolized the best of Evanston and offered congratulations.

CITIZEN COMMENT:

Irwin Levinson, 1308 Kirk St., spoke about Housing Options for the Mentally Ill noting that at Kirk/Asbury, where he lives, this agency has purchased a home that will house four unrelated individuals. It will not be regulated by the housing code in an R3 district because it is a two-story dwelling with an apartment on the second floor. Therefore, three persons can live on the first floor, with one now and, possibly, up to three on the second floor. He described how other homes could house mentally ill persons on the block and not be regulated internally. He thought it was peculiar but could happen because this agency thought of it and others will follow. He has had a lot of experience working with mentally ill people and said even with medication they are ill.

Mayor Morton thought he was misinformed and that he did not know about the other houses because they are operated so well by this agency. She advised Mr. Levinson to contact the agency director. Mr. Levinson said the agency had been contacted and questioned about where they are regulated. Every place they are regulated has four or more people living in a dwelling. They are not regulated by the R3 with no requirement for someone to be on the premises if a problem occurs at night. He acknowledged that the agency could send somebody in if there were calls for help. There is a place on Custer with three levels and, after great effort, offices were put in the basement so that supervisory personnel are often there. He noted they have talked intensively with the people who run this agency and were told about behavior on the streets. Where there is supervisory personnel in the building, those problems don't exist. He worked for years at a facility for mentally ill people in Chicago. With this plan there will be no supervisory people there anytime except as they come in/out. Also at any time they can send in any kind of mentally ill person to live there. If there are four or more people in one dwelling they must have supervision. He asked that be investigated and suggested that they have opened the door to a situation that was not anticipated.

Debbie Hillman, 1118 Sherman Ave., recalled the formal presentation made to Council on March 24 about changing bus routes and that Council unanimously declined to support the CTA proposal. Many left with a sigh of relief, thinking they would have the opportunity to look at the Pace study, get community input and follow the rules. She stated that federal funding requires the CTA to have public hearings that are recorded before making any major changes on bus routes. The CTA gets around that regulation by calling these changes an "experiment." Within two days of the March 24 meeting, where the CTA promised not to institute changes in bus routes, citizens discovered that the CTA lobbied aldermen to accept some changes that were accepted March 31 at a Special Council meeting with minimal notice and no citizen comment. She was communicating with Council not as aldermen, but as fellow human beings. She noted this room represents where they meet and make decisions -- a process that should always be public. She has lived here about 25 years and does not make phone calls to lobby for her positions, but writes letters to the editor and occasionally speaks. This is an intentional act on her part and she believes that a public process should air everybody's views so that decisions are made together. When decisions are made behind closed doors in the face of a unanimous decision with a large public presence, she asked what happened? She did not know whether the process is tainted or the container is broken, but that something is wrong. It was important that they emphasize their democratic processes and not subvert them as happened with the CTA process.

Gary M. Brooks, 729 Brummel St., stated a fire at 727 Brummel was in a boarded up building. Firefighters chopped their way in and the debris fell onto his property. He objected to the City's board up policy saying it is bad for the neighborhood; suggested an exterior lighting policy instead. He questioned the policy that allows a Tastee Sub to operate until 4:00 a.m. Neighbors petitioned the owner to close at a decent time but he refused. This place attracts crime and drug dealing which can be viewed on an Evanston video camera there. Technically this business is located on the Chicago side of Howard Street.

Betty Ester, 1806 Grey Ave., was confused; got an email saying the Council would meet March 31 at 5:45 p.m. to vote on the CTA proposal. In Thursday's *Review*, she read Council voted to accept the plan and that one alderman spoke about seniors and the 201 bus. Can they believe what they read? She noted at the March 24 Council meeting, there was an over concern with seniors and working people became invisible. In two months the 202 bus will stop, which means to get to work she will have to walk an extra block. There are many people who ride the 202, 203 and 204 busses to get to work, take their children to childcare on Main Street, which the CDBG fund supports. She said these changes would be a great hardship for working people. She pointed out people will have to get up earlier, catch the bus on streets that are not well lit and walk an extra block to and from work. She asked if there was a Council meeting March 31? If there

was she thought it was an injustice, whether Council voted or not, because the proposal was discussed. She found out about this at 6:00 p.m. and the bus she had to catch was not running so she had no opportunity to get here. She thought by law, meeting notices are supposed to be in the newspaper.

City Manager Crum stated there was a Special City Council meeting March 31 with an Executive Session on litigation followed by an update on changes made by the CTA to their prior route structure in order to meet needs that were expressed at the March 24 meeting. At the March 31 meeting, Council authorized the City Manager to send a letter to the CTA indicating support of the experimental program as long as they kept the City informed, made changes as needed and were obligated to participate in the study with Pace for long-term transit needs in the area. Also mentioned were concerns about bus transportation on the west side.

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Feldman moved Council approval of the Consent Agenda with the following exceptions: Ordinance 27-O-03 – Increase in Class B1 Liquor License and Request for Building Permit Fee Waiver – 1813 Lyons. Seconded by Alderman Rainey. Roll call. Voting aye – Tisdahl, Rainey, Feldman, Newman, Jean-Baptiste, Bernstein, Kent, Moran. Voting nay – none. Motion carried (8-0).

*** ITEMS APPROVED ON CONSENT AGENDA**

MINUTES:

* Approval of Minutes of the Regular City Council Meeting of March 24, 2003. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

ADMINISTRATION & PUBLIC WORKS:

* Approval, as recommended, of the City of Evanston payroll for the period ending March 27, 2003 and the City of Evanston bills for the period ending April 8, 2003 and that they be authorized and charged to the proper accounts, summarized as follows:

City of Evanston payroll (through 03/27/03)	\$1,872,661.01
City of Evanston bills (through 04/08/03)	\$2,410,748.88

* Approval of the State of Illinois low bid from Morrow Brothers Ford, Inc. for one Ford F450 4x4 supercab with service body for \$48,928, including delivery and 6-year/60,000-mile warranty for the Fire Department. * APPROVED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Approval of the purchase of trees for spring planting for Parks/Forestry Division: 187 trees through the Suburban Tree Consortium for \$37,369; and 17 trees from Eugene A. de St. Aubin for \$5,292.50. (Funding is through a CDBG grant and Parks/Forestry general fund.) * APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)



* Resolution 19-R-03 – General Maintenance Motor Fuel Tax Resolution – Consideration of proposed Resolution 19-R-03, by which City Council would appropriate \$600,000 of Motor Fuel Tax Funds for FY 2003 to finance general street maintenance by City forces. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Resolution 20-R-03 – Revised Joint Agreement with IDOT and Village of Wilmette – Consideration of proposed Resolution 20-R-03, which authorizes the City Manager to execute a revised joint agreement with IL Dept. of Transportation (IDOT) and the Village of Wilmette to include the Isabella St. Bridge as part of the Sheridan Rd./Isabella St. reconstruction project. * APPROVED-CONSENT

AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 33-O-03 – Increase in Class B Liquor Licenses – Consideration of proposed Ordinance 33-O-03, which increases Class B liquor licenses from 9 to 10 with the addition of M.N. Corporation, dba Bombay Garden, 626 Church St. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 35-O-03 – Decrease in Class B Liquor Licenses – Consideration of proposed Ordinance 35-O-03, which decreases Class B liquor licenses from 10 to 9 with the reclassification of Four Corners, dba Prairie Moon, 1502 Sherman Ave. (see below). * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 36-O-03 – Increase in Class B1 Liquor Licenses – Consideration of proposed Ordinance 36-O-03, which increases Class B1 liquor licenses from 5 to 6 with the reclassification of Four Corners, dba Prairie Moon, 1502 Sherman Ave. (see above). * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 37-O-03 – Decrease in Class B1 Liquor Licenses – Consideration of proposed Ordinance 37-O-03, which decreases Class B1 liquor licenses from 6 to 5 with the sale of Nevins, LLC, dba Tommy Nevin's Pub, 1450 Sherman Ave. (see below). * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 38-O-03 – Increase in Class B1 Liquor Licenses – Consideration of proposed Ordinance 38-O-03, which increases Class B1 liquor licenses from 5 to 6 with the purchase of Nevin's Business, LLC, also dba Tommy Nevin's Pub, 1450 Sherman Ave. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 22-O-03 – Special Assessment #1453 – Consideration of proposed Ordinance 22-O-03, marked introduced March 24, 2003, which approves Special Assessment #1453 for the alley paving north of Greenleaf St., east of Dewey Ave. * ADOPTED CONSENT AGENDA & ROLL CALL (8-0)

* Ordinance 23-O-03 – Special Assessment #1454 – Consideration of proposed Ordinance 23-O-03, marked introduced March 24, 2003, which approves Special Assessment #1454 for the alley paving north of Jenks St., east of Poplar Ave. * ADOPTED CONSENT AGENDA & ROLL CALL (8-0)

* Ordinance 24-O-03 – Special Assessment #1455 – Consideration of proposed Ordinance 24-O-03, marked introduced March 24, 2003, which approves Special Assessment #1455 for the alley paving north of Hartzell St., east of Lawndale Av. * ADOPTED CONSENT AGENDA & ROLL CALL (8-0)

* Ordinance 25-O-03 – Special Assessment #1456 – Consideration of proposed Ordinance 25-O-03, marked introduced March 24, 2003, which approves Special Assessment #1456 for alley paving north of Simpson St., east of Darrow Ave. * ADOPTED CONSENT AGENDA & ROLL CALL (8-0)

* Ordinance 26-O-03 – Special Assessment #1457 – Consideration of proposed Ordinance 26-O-03, marked introduced March 24, 2003, which approves Special Assessment #1457 for alley paving north of Park Pl., east of Lincolnwood Dr. * ADOPTED CONSENT AGENDA & ROLL CALL (8-0)

* Ordinance 31-O-03 – Creation of a Class W Liquor License – Consideration of proposed Ordinance 31-O-03, introduced March 24, 2003, which creates a Class W liquor license for live music venues in the Downtown Core District. * ADOPTED CONSENT AGENDA & ROLL CALL (8-0)

PLANNING & DEVELOPMENT

* Ordinance 30-O-03 – Special Use for 1741 Sherman Ave. (Type 2 Restaurant) – Consideration of a recommendation of the Zoning Board of Appeals to grant a special use for a Type 2 restaurant (Gary

Poppins) at 1741 Sherman Ave. * MARKED INTRODUCED – CONSENT AGENDA

HUMAN SERVICES COMMITTEE:

* Resolution 13-R-03 – Transportation Capital Assistance Grant Application – Consideration of proposed Resolution 13-R-03, which authorizes the City Manager to sign a grant application for a public transportation capital assistance grant from the IL Dept. of Transportation (IDOT). * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

AGENDA ADDENDUM

OTHER COMMITTEES:

* Approval of Contract – Consideration of approval of the collective bargaining agreement between the City of Evanston and the Fraternal Order of Police (Evanston Police Sergeants' Association) effective March 1, 2003 through February 29, 2004. * APPROVED-CONSENT AGENDA MOTION & ROLL CALL (8-0)

APPOINTMENTS:

Mayor Morton asked for appointment confirmation of the following:

Joan Hickman	Commission on Aging
1614 Main St.	
For term ending April 15, 2006	

* APPROVED - CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES

ADMINISTRATION & PUBLIC WORKS:

Ordinance 27-O-03 – Increase in Class B1 Liquor Licenses – Consideration of proposed Ordinance 27-O-03, introduced March 10, 2003, which increases Class B1 Liquor Licenses from 4 to 5 with the addition of Westwind Unlimited, dba Bill's Blues Club, 1029 Davis St.

Alderman Feldman moved approval of Ordinance 27-O-03. Seconded by Alderman Moran.

Alderman Rainey noted the reason Bill's Blues Club applied for a B1 license was because there was not a license category for their kind of business. The committee felt there was good cause to create a Class W license for live entertainment. However, the applicant applied, as they are about to approve the B1 license, which costs \$8,000. She said it is possible the applicant will then apply for a Class W license and, if approved before the establishment opens, may never use the B1 license. Should the applicant pay \$8,000 for the B1 license and then obtain the W license, would the City make them pay another \$8,000?

Management & Budget Director Patrick Casey stated if the Class W license is approved and the applicant applied for it and has not opened, he would not pay an extra \$8,000. Alderman Feldman asked if there was a delay of several weeks? Mr. Casey said that would be taken into consideration. If it went to eight-nine months, they would probably request an extra payment be made at the time of renewal of license. This was not an issue.

Roll call. Voting aye –Tisdahl, Rainey, Feldman, Newman, Jean-Baptiste, Bernstein, Kent, Moran. Voting nay – none. Motion carried (8-0).

PLANNING & DEVELOPMENT:

Request for Building Permit Fee Waiver – 1813 Lyons – Consideration of a request from Econ Housing Group for a waiver of building permit fees totaling \$6,174.80 for an affordable duplex.

Alderman Bernstein reported the committee voted 3-0 to deny the request. The applicant was advised, if he had further information that could justify such a request, to come back. He moved that the request for a waiver of building permit fees at 1813 Lyons be denied. Seconded by Alderman Kent.

Alderman Rainey asked for a summary of the committee discussion. Alderman Bernstein explained the applicant has done work in the 5th Ward to create affordable housing. In this circumstance, he is constructing two dwelling units for which he received \$100,000 in HOME funds. The profit/loss statement submitted by the applicant showed a prospective profit of \$95,000 on the sale of the two residences for \$175,000 each. The committee believed that, even though he was building affordable housing, this \$6,175 would have to come from the General Fund and it was questioned whether it was justifiable to compensate someone for a profit in that amount. The applicant was encouraged to continue the work toward affordable housing. There are no standards as to return on investment that would be the threshold for considering waiving the permit and the committee felt the proposed profit did not raise the bar to waive fees.

Alderman Moran said he may not have grasped all the details, but was concerned with the motion that springs from three concepts. One is that affordable housing is an important issue here and the City Council generally should be supportive of affordable housing. He asked, if they are to take actions that foster affordable housing, where should their focus lie? Should it be with economic considerations to those who develop such properties or should it lie with the end user who has an opportunity to buy and occupy affordable housing? He has no formula for the correct amount of profit a developer of such housing should receive. He did not think anybody had a criteria and that somebody decided that \$95,000 was too much for this person to make. He was not bothered that somebody who develops affordable housing makes a profit and should make a profit to encourage building affordable housing. He did not know what a fair profit is. Perhaps in the near future there needs to be criteria for that so that the developer can be confident that an affordable housing initiative will be received favorably or not.

Alderman Jean-Baptiste thought the issues raised by Alderman Moran needed to be reiterated. If the basis for denying this builder the benefit, is that the committee determined that \$95,000 is an excessive profit he was not sure they were on solid ground as to the criteria that would guide future actions. He did not know what would be projected in the future with the cost of living in five-ten years, would the \$95,000 justify giving this benefit ten years down the line. The builder needs an incentive to make a profit to continue to build affordable housing. It was hard for him to agree with the recommendation and asked if there were other issues? He also wanted to hear from Alderman Kent.

Alderman Newman stated that the City gave this developer \$100,000 in HOME funds. As far as he knew, this developer was putting up nothing; asked why didn't the developer ask for \$106,000? He pointed out the standard for giving a permit fee waiver is substantial hardship. How could somebody argue for that when they have a \$95,000 profit on a \$350,000 project? All support affordable housing and all members of the committee did when they recommended this developer receive \$100,000 in HOME funds. If that were not enough, the developer could have asked for \$110,000, then the permit fee would have come out of federal money. The \$6,000 would be from General Fund money and he recalled three months of department heads cutting budgets. This developer did not demonstrate hardship. The committee asked for numbers at the first meeting and no written statement was given. If he had only one project with a \$95,000 profit he thought that was pretty good. There were no expenses shown to come from the \$95,000. There was no hardship and that was why this was recommended to be denied. The burden was on the developer to show substantial hardship and he did not do that.

Alderman Feldman suggested if Council supports affordable housing it should do so. What they don't do is take a facility that allows for people in need to apply for a waiver and use that for somebody who is in the affordable housing business. This is a business that builds affordable housing for a profit and agreed that everybody should make a fair profit on his/her investment. He did not know what the developer's investment was. If the entire project cost \$350,000 and sold for \$350,000, he borrowed the difference between the \$100,000 grant and a \$250,000 construction loan and was left with

\$95,000, a good deal. He did not begrudge it and it was not an excessive profit, but don't come for \$6,000 that they could use on many other good causes. If they want to say when somebody applies for \$100,000, give him \$106,000 was fine, etc., even if they don't ask for it. The permit fee waiver is for people who have a hardship. He asked if the mental health or seniors came and asked for \$6,000 because they needed it, would they give it to them? He thought the \$95,000 was a solid profit. He noted when they look at pro formas, any return on investment over 14% makes them nervous. He thought it was good because the City is getting what it wants and he is too. This money would come from a fund that supports all kinds of things. Alderman Feldman stated this should not be supported.

Alderman Kent reported there was no hardship for the developer, just as when they looked at the Jacob Blake Manor they found no hardship. For a long time affordable housing has been a concept that they believed in, now they are close to defining what it is. When this project was approved, there was a debate over whether a \$175,000 home could be considered affordable. He thought there was no place in Evanston where a new three-bedroom home could be built for \$175,000. At least average to middle income people could afford it. When they started with 1816 Darrow and Mr. Davidson was the contractor, there was discussion that there would not be a large profit on these homes because of what he was trying to build. The 1816 Darrow building is up and he was waiting to find who the family is that will occupy it. He has become aware of people saying one thing and in the 5th Ward, it meant something different. When developers come with ideas for creating more affordable housing, it was up to Council to make sure when the project is complete, it does what it said it would do. They need to continue tracking what is happening with these houses. At 1813 Lyons, the same developer took a house with many violations that was a blight and took it down. Mr. Davidson is going in the right direction and when they saw \$95,000 in the black there was no hardship for \$6,000. If they are going to do something about affordable housing, it has to be looked at as a mission that would eliminate more than half the developers because their concern is their pocketbook. There are certain places here that allow experimentation to look at different stages of affordable housing. Econ Housing is a small piece of that. Evanston Community Development Corporation has come together with Reba Place Church to look at ways to create affordable housing. The Westside Residents Association is interested in doing something about boarded up buildings along with becoming a community housing organization. They started with Mr. Davidson and, eventually, would create housing for people at the bottom of the scale. That would be done by many components in the community coming together because this is a mission, rather than a profit-making enterprise. Here, they had a property that could be used for this purpose.

Alderman Tisdahl said the good news was there was no hardship and they will get a lot more development of low-income housing if they let the word out that people can make money doing this. It is great news that he made a terrific profit, good for the City and good for him because more developers will come forward to do the same. That was the reason she voted to deny the waiver.

Alderman Rainey was not sure \$95,000 was the standard by which they should decide to deny the request for waiver of fees. She saw two homes here that would fulfill the dream for the kind of families they want to keep in Evanston. When she talks about affordable housing (many people who talk about affordable housing refer to people who have no income) it is for people who are going to make a contribution to the community, hardworking low or middle-income people. That is who homes for \$175,000 would go to. This is important because it is adding to the housing stock. The Evanston Housing Coalition did a condominium conversion in her ward for affordable housing and she will be eternally grateful, that replaced housing units. This project is the creation of two brand new housing units for people who struggle to survive and work for a living. She thought denying the waiver sends a bad message. The \$50,000 in HOME funds per unit makes these units affordable for buyers. She noted that the 5th Ward sat with this plot of land for years. This is a for-profit guy. When you look at the 499 form of a housing corporation, their staff makes a decent salary that comes from what the City grants them. People in not-for-profit get funds to pay their operating expenses for staff and offices. She did not think this was any different. They could go to the HOME fund, get \$5,000 and give him half. She thought this would have a chilling effect on his future participation in this kind of activity. She noted he is the guy doing it, who should be acknowledged and he is doing work nobody else is doing.

Alderman Jean-Baptiste stated if the policy requires he show hardship, that is what he should do. He supports the call from the committee that he come back to seek additional support if he encounters hardship. All support his efforts. He is in the business of developing affordable housing and they want that to happen.

Alderman Bernstein agreed that it would be nice to have a percentage certain so they could separate hardship from the other but the ordinance doesn't allow that. HOME funds are allowed for construction costs, but not for reimbursement of municipal fees. Mr. Davidson mentioned the reason he came for the waiver was he expected some overruns based on prior construction history and was hedging his bets. All encouraged him to complete the project and if he had a diminished return he was not foreclosed from coming back. Alderman Bernstein did not think Mr. Davidson would be dissuaded and perhaps would change the nature of his funding source and ask for a greater amount.

Alderman Feldman said this was not a debate about support for affordable housing. He stated this is a determination by four committee members that there is no hardship here. If they are going to reward people for doing it, then do it. Publicly state how much this is appreciated and encourage him to continue his work. This is an astonishing offer – come to Council and ask for more money, whether he needs it or not. He did not want to give him any more than he needed to provide the work that he wants to do and all the community lauding possible. They don't need more coming and saying, “give me more money” when it is not a hardship. This developer could not have begun to do this project without the grant of \$100,000. He urged them not to confuse the vote with support of affordable housing. Nobody is being denied the American dream if this developer is denied this waiver.

Alderman Rainey asked if the developer has overruns did they expect him to come back? Yes. She suggested putting this on hold, wait and see what happens instead of saying no. He is asking to waive fees, not asking to be given money.

Alderman Newman called the question. Motion carried. No nays.

Roll call. Voting aye –Tisdahl, Feldman, Newman, Jean-Baptiste, Bernstein, Kent. Voting nay – Rainey, Moran. Motion carried (6-2).

CALL OF THE WARDS:

7th Ward. Alderman Tisdahl congratulated the Lighthouse Park District on their successful referendum; congratulated Dan Wefler and voters who voted for the referendum which was based on one letter.

8th Ward. Alderman Rainey made a reference to the Human Services Committee that they reconsider the ordinance that creates the residential care home category 1. Her specific concern is, as opposed to the category 1 home, be identified as any unit with four or more people and that the language be changed to four clients under one roof.

She announced a community meeting the next evening at the Police Outpost, 633 Howard St., with the Police Department, Housing Authority of Cook County and Property Standards Division regarding incidents in the 8th Ward this past week. She reported during a 48-hour period there were four shootings on one block. Two homes had windows shot out; one person was shot in the leg and there was a home invasion. People who have lived on this block for 20-30 years are scared to leave their homes and intimidated by what is happening. The police provided excellent response and brought in a special tactical unit. She noted that the community is loaded with guns and if anybody knows of anybody who has a gun, to turn them in. She predicted that someday, some fine person, police officer or one of them will be shot by one of these thugs. The problem is with people having guns is that they load them with ammunition and shoot in public places. This community has not yet reached the point where they accept that the condition is so serious they have to rise up and act. She pled with all to encourage people to get guns off the street.

Alderman Newman suggested the reference go to the Plan Commission. Alderman Rainey wished the reference go to the Human Services Committee for discussion and to the Plan Commission. She moved to send it to the Plan Commission. Seconded by Alderman Kent. Motion carried.

9th Ward. No report.

1st Ward. Alderman Newman appreciated staff efforts on cleaning up the litter problem in downtown Evanston; looked forward to help from Evmark and the Chamber of Commerce. He also appreciated Jim Wolinski's efforts.

He reported the Human Services Committee had an administrator from Kendall College come last evening who told them Kendall is eager to participate in the Summer Youth Employment Program (SYEP) and have people paid by the City learn a trade. He saw it as a great opportunity and hoped for administration support. He hoped for a report on that before the beginning of summer.

He asked the City Manager to provide periodic reports on revenues from downtown parking fines and meters. Alderman Newman moved to strike all items for future consideration. Alderman Rainey thought that should go to the Rules Committee. Mayor Morton agreed that these were agenda items and his motion was correct. There was no second.

He referred to a grant proposal for \$98,000 under Human Services for an additional senior bus. He complimented all involved in this effort. He said there has been terrific outreach by staff for these grants. Nothing was more important than improving transportation for seniors. He thought a good membership has been maintained at the Levy Center. The program for driving seniors from Primm Towers, 1900 Sherman and Noyes Court to the grocery stores has been immensely popular. This will allow additional service to very poor people and expand use of the Levy Center.

Mayor Morton said that the City Manager could not provide a report about the youth going to Kendall College because the college will be asked, as all others that wish youth to work for them, to come to the Job Fair. Alderman Newman said he was referring to the youth who work for the City, that instead of working for the City, that they be at Kendall College where they can learn some skills, rather than picking up garbage in alleys. Mayor Morton said many youth don't pick up garbage in the Summer Youth Employment Program. If he was suggesting that work at Kendall College be taken out of SYEP, that was another issue. If the youth come through the program, all of the people who will hire youth, regardless of who pays them, come to the Job Fair later this month. Youth apply to work and the employers choose the ones they want to employ. Alderman Newman asked for a copy of the process of the Summer Youth Employment Program. There was discussion between Alderman Newman and Mayor Morton about the process.

2nd Ward. Alderman Jean-Baptiste reported the team set up to deal with downtown litter/refuse made a report to the A&PW Committee that he supported. He and others have suggested that this team look at other areas, such as Dempster/Dodge, which is always filthy. Some residents near that intersection have garbage on their lawns that they did not put there and have been cited for it by the City. He said letters were sent recently to type 2 restaurants there asking them to do what they are supposed to. He thought the same kind of intensity shown by the clean-up team should be given to outlying areas. All residents are concerned about their neighborhoods, particularly at busy intersections where there are many fast food restaurants. He suggested they needed to get cracking to ensure that these restaurants follow the rules and implement the process as quickly as possible. An excellent proposal by Alderman Rainey was that the fine for violating the rules be raised from \$50 to \$200. That would send a message to the type 2 restaurants. He asked Mr. Crum to emphasize to the team that set the process in place to share with the rest of the City.

3rd Ward. No report.

4th Ward. Alderman Bernstein said he attended the CTA public meeting prior to the March 24 Council meeting and was approached by many constituents about his position on the CTA proposal. He is not a CTA rider, but in listening to riders, thought there were serious problems. He did not think he had any standing, because his sense was the CTA would do what they wanted to anyway and was looking to Council for ratification for their proposal. He was gratified that Council had refused to validate the process, which presented the public with a fait accompli, then solicited requests to change the process. All made suggestions on March 24 and were advised by the CTA if they did not accept their project, it was too late to make changes except minor ones and that they were precluded from changing routes for another year. His sense was "the devil you know is better than the one you don't know" on the proposal as amended. He was out of commission that week; had surgery March 28 and on March 31 somebody left a message that Council had passed the CTA's proposal. He received a call yesterday from a constituent who asked about the undercover process and he assured him there was none. He was not sure what happened but there was no vote. From reading the *Review* he gathered there was telephone calling to Council members to get consensus. He did not know what modifications were made to the proposal. He thought the CTA had agreed to get together with Pace, bring in shuttle bus services and coordinate a plan that dovetailed all services. He asked for a copy of the plan that was agreed to.

He congratulated Nicki Pearson who does wonderful things for this community.

He announced that on April 14 there would be a special meeting of the Preservation Commission to consider a proposal to redevelop 1314 Ridge Avenue, the former District 65 site.

He referred to an appropriate committee, that Rotary International, the City's largest taxpayer, is celebrating its 100-year anniversary and suggested that next year's wheel tax sticker carry that message. He suggested that to the City Manager and was told the policy is that the stickers validate the City (not private groups). He wanted to see that Rotary, with its world headquarters here, which is an impressive organization and wonderful neighbor that does many good things for the community, be recognized.

Alderman Bernstein was praying for a speedy return of American troops from Iraq.

5th Ward. Alderman Kent reminded all on April 26-27 there would be dumpsters in the 5th Ward and that throughout the community it would be Trashbusters' Weekend (sponsored by Keep Evanston Beautiful) and urged all to participate.

He, too, was concerned about the CTA's plan; had a phone message from CTA asking if he had seen the new plans for the CTA routes; did not return the call and saw no new plans. He said concerns were expressed on March 31 and Council went into this with the idea this is an experiment. He thought the plan would need some changes. He received calls from the 5th Ward residents about the article. Their concern was they are told different things at different times and that they won't be able to get anything changed, even if they continue to communicate with the CTA that this is not working. His vote was for going forward, but he had some big objections. He thought the CTA had added some suggestions to the plan. His objective is to keep 5th Ward people who live west of the high school involved because this plan really does not address their needs. He asked the City Manager to keep them informed. Many people in his ward who are older ride the bus and want to know when the changes will take place.

6th Ward. Alderman Moran learned yesterday that the daughter of David and Blair Grumman, Cornelia, won the Pulitzer Prize for editorial work at the *Chicago Tribune*. She wrote a series of editorials in 2002-2003 that decry the state of the criminal justice system in Illinois, urge the state legislature to adopt criminal justice reforms and take a hard look at the death penalty as administered in Illinois. The editorials were a catalyst as the legislature began passing reform legislation. He thought the editorials were effective across the United States and in the world in making people rethink their notions about the death penalty. He stated all should be proud that one of our own has garnered an international reputation. He congratulated Cornelia Grumman and her parents.

There being no further business to come before Council, Mayor Morton asked for a motion to adjourn. The Council so moved at 11:47 p.m.

Mary P. Morris,
City Clerk

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