

**CITY COUNCIL**

**June 23, 2003**

**ROLL CALL - PRESENT:**

Alderman Bernstein  
Alderman Moran  
Alderman Tisdahl

Alderman Rainey  
Alderman Feldman  
Alderman Jean-Baptiste

A Quorum was present.

**NOT PRESENT AT  
ROLL CALL:**

Aldermen Wynne, Kent,

**ABSENT:**

Alderman Newman

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton Monday, June 23, 2003, at 5:38 p.m. in the Aldermanic Library. Alderman Rainey moved that Council convene into Closed Session for the purpose of discussing matters related to collective bargaining, real estate, litigation and closed session minutes pursuant to 5ILCS Section 120/2 (c) (2), (5), (6), (11) and (21). Seconded by Alderman Feldman.

(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.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(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 – Bernstein, Moran, Tisdahl, Rainey, Feldman, Jean-Baptiste. Voting nay – none. Motion carried (6-0).

At 7:00 p.m. Alderman Rainey moved to reconvene into Open Session and recess. Seconded by Alderman Wynne. Motion carried. No nays.

Mayor Morton convened the City Council as Evanston Township Trustees at 9:00 p.m. in the City Council Chamber.

**Public Hearing – Township of Evanston 2003-04 Proposed Budget**

There was no public comment on the proposed Township budget.

At 9:02 p.m., Mayor Morton declared the public hearing closed and reconvened the City Council.

**ANNOUNCEMENTS:**

Health & Human Services Director Jay Terry announced that the North Shore Mosquito Abatement District would spray the next evening from Oakton north to Simpson and from Asbury west to McDaniel. Residents with concerns about spraying are asked to contact the Mosquito Abatement District at (847) 446-9434. All information about spraying and schedules is posted on their website: [www.nsmad.com](http://www.nsmad.com). Current information about spraying is on the City's website: [www.cityofevanston.org](http://www.cityofevanston.org).

Facilities Management Director Max Rubin invited all to attend the 4<sup>th</sup> of July festivities (sports events, parade, band concert and fireworks display). The celebration theme is the Evanston Beacon of Freedom. Mr. Rubin drew names for the first 4<sup>th</sup> of July family. Second runner-up was the Lynne Warner Wolinski family, 828 Oakton; first runner-up and winner of gift basket

from area merchants was the Eston Gross family, 2737 Woodbine; and the first place 4<sup>th</sup> of July family was Eric Harkna 2316 Central Park, who will receive a gift basket and be on the parade reviewing stand with Mayor Morton.

#### **Presentation of Korean Service Medal Awards**

Bo Price said Mayor Morton had asked the Veterans of Foreign Wars to locate veterans of the Korean War who served from the beginning, June 25, 1950 to the end, July 27, 1953. The administration has agreed that all veterans who served in the Korean War are eligible for the Korean Service Medal, given by the Korean government. Applications are available in the City Manager's office. Former Police Chief Bill Logan noted the Korean conflict was a war and 1.6 million Americans served there. As a staff sergeant supervisor for the Far East Air Force Communications Center, via teletype, he saw the names of those whose planes were shot down, injured, captured and killed. He was proud to be present with fellow Korean veterans; had thought about how the war had changed their lives and the sacrifices they made for the United States and for South Korea. On Memorial Day and that evening all remembered those among them who fell. He presented medals to the families of Dower Griffin and Baltimore Payne, who did not return. Those present who received the award were William Holmes, Charles Westbrook, John Perry, Paul Wilson, Roe Kimbro, James Gay and Jerry Steel.

Paul Wilson, 18-year member of the 4<sup>th</sup> of July Association, announced he would dedicate a song to fallen veterans of all wars at the 4<sup>th</sup> of July evening concert.

Mayor Morton announced that Alderman Feldman is a Korean veteran and would receive a medal.

#### **Interim Progress Report of Electric Franchise Negotiating Team**

Alderman Moran recalled that a little over four years ago, the City was near the expiration of the long term franchise agreement with ComEd. Members of the Northwest Municipal Conference and other municipalities entered into a long-term Model Franchise Agreement and at the time Evanston declined to enter into that agreement because there would be significant changes in the electrical generation and distribution industry. For that reason, the City entered into an agreement that started about four years ago with an initial three-year term and two one-year extensions. A year ago the City entered into the first one year extension. A negotiating team has met with ComEd over the past few months; negotiations have gone well and they are finalizing the agreement, having reached agreement in principle. The language is being put together and they should have something for the Council to act on in the near term. The agreement's focus is to continue seeking improvements in distribution of electricity. He noted the era of frequent outages has changed significantly. Data collected shows outages are less frequent and the duration reduced significantly. He thanked the Technical Review Group of the Energy Commission, which has done great work in representing the City and has met regularly with ComEd to better understand the electrical distribution system and how to improve it. He was convinced the request for an extension would be a continuation of progress. They look forward to an intense period in the next year and anticipate major changes in state legislation relating to the power industry. There is much work to be done and he believed the extension will keep them on the right path.

**COMMUNICATIONS:** None

#### **CITIZEN COMMENT:**

Laine Wood, 925 Wesley Ave., area coordinator for Crown Park Neighbors, recalled at the April 23 Economic Development Committee meeting that the Dewey-Darrow Neighborhood Association requested funding for a lamppost banner program in the Dodge Avenue corridor. The cost was \$9,777. Apparently there is a problem with the arrangement with Joseph Freed & Associates Dempster/Dodge Shopping Center and the mitigation fund for the adjoining neighborhood. Crown Park Neighbors were not advised of the Dewey-Darrow Neighbors' contemplated project for the April meeting. She noted in 1997, Crown Park Neighbors worked with Walgreen's and Alderman Drummer to set up a neighborhood improvement fund upon completion of the store at Main/Dodge. In a special use agreement with Walgreen's and Centrum, the developer paid \$10,000 to the City for a neighborhood fund with its use to be determined by the Crown Park Neighbors. At the April meeting several aldermen suggested that Walgreen's funds be used to pay for the lamppost banners brought to the committee by Dewey-Darrow Neighbors. Discussion about use of EDC funds for these banners was similar to banners on Chicago Avenue, Central Street, Dempster, Church, and others. The Dewey-Darrow Neighbors requested that the Crown Park Neighbors be petitioned to obtain their agreement to use a portion of the Walgreen's funds. The next EDC meeting that Crown Park Neighbors planned to attend on May 28 was cancelled.

The next EDC meeting is Wednesday evening. She noted Crown Park Neighbors have worked on a plan over the winter months to use neighborhood funds given by Walgreen's and do not need approval. These funds are to be used at the discretion of neighbors for improvements. Neighbors were surprised to find this on the agenda for action that evening. Crown Park Neighbors asked that this item be returned to the committee.

Judy Jager, 1002 Florence Ave., block captain for Crown Park Neighbors, addressed spending part of the Walgreen's funds for banners at and near the Dempster/Dodge shopping center. She told them about a project of a different nature at Dodge/Main that drew on neighbors, businesses, and the City to develop a plan to meet a neighborhood need. Last summer there were more than 100 calls for police service to Dodge/Main for armed robbery, theft, loitering, burglary and drug dealing, a constant concern to residents. She noted again this summer young men are out facing traffic on the 900 block of Dodge on warm afternoons and evenings having interactions with passing motorists. Newspaper reports of crime rates in Evanston declining notwithstanding, Crown Park Neighbors feel the need to reclaim their neighborhood for law-abiding residents. To accomplish this Crown Park Neighbors and residents east and west of Dodge, north and south of Main, organized the first of four meetings starting last November with residents, police, property owners in the shopping strips and owners/managers of Walgreen's and the 7-11. Because they were told there is no tax money for additional police, (the primary need) they are pleased to have increased police patrols to the extent possible plus increased expenditures by commercial property owners for private security. Those involved with this project, not knowing of the proposal for banners, have also begun discussing the \$10,000 Walgreen's fund which could be used to help with the problems she described. One is a camera surveillance system connected to police headquarters. Any proposal to promote their neighborhood and commercial businesses such as banners is welcome and they support such efforts. But to many in their neighborhood, stability is the prime concern. She urged reconsideration of the use of the Walgreen's fund and to direct it to reduce crime.

Paul Schmidt, manager of Walgreen's at 900 Dodge Ave., has attended town meetings and learned of crime in the neighborhood, mostly drug dealing. He was shocked and could not understand why neighbors did not do anything about it, or complain about the drug dealers. Recently he was assaulted in the store by two area people. Now he knows why neighbors don't call police more and complain. They are afraid. He believes the money Walgreen's gave to neighbors would do more good if it was used to reduce crime; to stop people from walking up/down Dodge dealing drugs all day long, daily. Something needs to be done as soon as possible. Banners are a great idea but funds for a camera surveillance system would be better. He predicted if something is not done soon, the corner of Main/Dodge will erupt and somebody will be killed. He said if the two people that assaulted him had been armed, he would be dead.

Mimi Peterson, 748 Wesley Ave., noted a portion of the funding for street banners has been proposed to come from the Walgreen's fund for the neighborhood. In 1997 when she served as area coordinator for Crown Park Neighbors, Centrum Properties approached the group and wanted to know how they could contribute to the neighborhood. Centrum met with Crown Park Neighbors and Alderman Drummer and it was agreed that a one-time contribution, to be part of the special use, was to be spent at the discretion of the neighbors. All thought the banner program a fine idea but wanted to be part of the discussion at the Economic Development Committee. Perhaps there was some oversight in that committee and somebody forgot to contact the neighborhood group that was involved in creating that fund. Crown Park Neighbors are not opposed to the banner program, but have needs that are a priority and have worked hard to come up with a plan to implement this summer. They needed to participate in how those funds will be used. They asked this item be returned to the EDC, so that the Crown Park Neighbors, originators of those funds, could participate in discussion. They don't want to stop the banner program.

Dickelle Fonda, 1220 Darrow Ave., with the Dewey-Darrow Association asked for support for the banner proposal. The original intent of their banner proposal was to beautify and mitigate the encroaching business from Dempster Plaza shopping center on their immediate neighborhood. When the shopping center was opened some years ago, there was a mitigation fund for that purpose which had not been available for their use. They developed a proposal to beautify and soften the interface between the shopping center and their neighborhood. One component is the banner project. The banners on lampposts proposal extends north to Lake Street and south to Main Street and east/west one or two blocks into neighborhoods. She said their original proposal was to extend only to Greenleaf Street. When they presented this plan to the Economic Development Committee it was suggested they extend the project to Main Street, which is why there is controversy on what funds to use. Their neighborhood association does not care where these funds come from

and does not want to take funds to be used for safety. She asked for support of this project based on its merits.

Roberta Hudson, 1941 Dewey Ave., spoke about the 5<sup>th</sup> Ward moratorium, said it was a matter of needs and don't needs. They need a community whose environment encourages family establishment, growth and development. They don't need high rise buildings and other commercial profiteers whose "God is the bottom line." They need owner-occupied housing that encourages responsibility. They don't need absentee landlords whose only care is if the tenants have the rent. They need quality not quantity. They need an indigenous organism thriving in the community and don't need Madison Avenue exploitation of natural resources by non-natives who are only guided by a profit motive. They need their children to learn the elements of community building and don't need them learning the quickest and easiest way to become a millionaire. They need a community that will produce citizens who are equipped to answer the real problems and needs of the world, not a community of self seekers who are determined to exploit, deceive, be fraudulent and maintain dominance over the community. They need a community whose principles are guided from above. They don't need a community that is guided by, "if it feels good, it looks good, it tastes good, smells good, or sounds good, it must be good." Nonsense! They need leaders who will listen to direction from above and don't need those persuaded by profit mongers with self-serving motives of gratification. They don't need an aimless, listless group not knowing where they are going in the 5<sup>th</sup> Ward. Instead they need a positive, purposeful course and direction for the good of the ward and its people. She urged Council to do the right thing and introduce/adopt Ordinance 61-O-03.

Betty Ester, 1806 Grey Ave., spoke about the easement agreement with Onyx Waste Service. Residents of the west side neighborhood worked with Onyx for several months and it has been a fruitful project. Onyx listened, took their suggestions and produced something both can live with, stay here and be a viable part of the community. Residents thanked Onyx and looked forward to working with them.

She also spoke about the proposed moratorium, said it was not about tear downs, but about giving the neighborhood a chance to deal with change, which all know is coming. Residents ask that they be part of it. They are the community and some are long-term stakeholders including renters, homeowners and businesses that don't want to be pushed out or piled up on. They don't want density. She took part in the subgroup on housing. The conversation she heard that evening was not the conversation that happened in those meetings and it was too bad they were not recorded so that the community could hear what the developers said they were doing for low-income people. \$175,000 will not get a house for many 5<sup>th</sup> Ward residents. She noted they are mixed income and wish to keep the character of their neighborhood so they will not end up looking like a high rise downtown.

George Cyrus, 3200 Park Pl., spoke about affordable housing; said he did not have a personal or financial interest in new construction of either multi-family or single-family houses. There is a company with the Cyrus name but he is not part of that. He suggested that Council consider designating a portion of the increased taxes collected from the building boom in downtown Evanston and the community to create an Affordable Housing Fund, whether a 5, 10 or 30% increment of taxes that are being generated. He suggested the City encourage that boom and use some of those funds to subsidize housing in the future. In his opinion, the best way to subsidize housing is similar to the former Section 8 program, called Housing Choice Vouchers. The individual finds housing they want, pay what they can (30% of their income) and the rest is subsidized. This is an expensive program but he thought they could take advantage of some of the increased taxes by shifting them towards assistance with affordable housing. Money could be used for soft second mortgages to help people buy and repayable only when they sell. He submitted on inclusionary zoning, whether Longmont, CO or Montgomery, AL, the way it works is to include people of lower income with people of higher income, the developer is given something by the community. Developers in most cases get density bonuses or permit fee waivers. There is an idea that the way to go about affordable housing, since the developer is making a lot of money, is to charge less for some units. Putting affordable housing in perspective here – the last figure he had is Evanston has more than 900 Section 8 vouchers, exceeded only by Chicago and Harvey, so Evanston is supplying a fair amount of affordable housing. He said if one looks at the HUD 80% guidelines, which allow a two-bedroom with a three-person family to pay \$1,074 in rent and a two-person family to pay \$954. He thought teardowns enhance the tax base and change the neighborhood. He did not think the *ad hominem* argument about who is going to live there has any part in the discussion. Comments that these are rich shallow people, who don't care about others, a two-person family in a house that is too large for them have no place. In looking into our souls at what it means to be without bigotry, prejudice and respectful of differences, meant he was talking about housing, not people.

Ted Loda, representing AFSCME Local 1891, stated that unionism has a history of battles and AFSCME in Evanston's first battle was fought in 1968. City employees seeking union representation were driven for their own protection into a local church where the City administration directed the Police Department to gather and punish them for seeking unionization. AFSCME won that battle in 1968. There was an AFSCME battle in Memphis, TN in 1968 for the same cause where a prominent citizen died. In February in 2002, he heard in this Council Chamber that some City employees would be given a lesser raise than others would. The union was asked what it could do and he said they would organize. They organized and fought for what is right and just, for benefits that people have died for. If anyone believes that in the year, no matter the climate, that the union is prepared to give up rights and benefits that others have died for, they will wait a long time. As was said in the flyer, "if it was good enough for Adlai Stevenson, it is good enough for me." Hell will freeze over before AFSCME will give up hard fought for benefits.

Madelyn Ducre, 1929 Foster St., said there were many problems in the 5<sup>th</sup> Ward and two of them could be resolved by Council that evening. Many 5<sup>th</sup> Ward residents want a moratorium passed because they want to study the pros and cons of future building there. They welcome progress but also would like to see the character of the community improved, not destroyed; want to see creativity and to be part of the deal. They don't want teardowns of buildings without residents' participation and don't want a similar problem as in the 6<sup>th</sup> Ward. If the moratorium is passed, it will prevent tear downs. Many 5<sup>th</sup> Ward residents want Council to ban police chases in Evanston before children are seriously hurt or killed. She asked them to think about this situation; understood there is a lawsuit in Evanston due to a police chase.

Doree Stein, 505 Hinman Ave., property owner, has had a problem with the township assessor for two years and when she calls the police she expects them to come. To get a police report for harassment, she had to call Alderman Bernstein. She spoke with Roger Crum, who pointed out that this person is an elected official. She asked how many times an elected official has to come down her street, which is a dead-end. The assessor is a realtor and prior to purchasing her home, showed it. She was told if this person was not on her property there was nothing police could do. She wants to sit in her yard without this person coming by several times a day, coming onto her property, measuring and tramping through her garden. When the assessor alleged that Ms. Stein's boyfriend was stalking her, police came right away. A former City employee, she and her boyfriend were told not to come to the City where she hoped to attend farewell parties and pay her water bill. She is fearful and recovering from a life-threatening condition. She stated that the City has culpability. She expects protection and has talked to the State's Attorney.

**CONSENT AGENDA** (Any item marked with an Asterisk\*)

Alderman Feldman moved Council approval of the Consent Agenda with the following exceptions: Resolution 38-R-03 – Agreement with Chicago Botanic Garden, Ordinance 34-O-03 – False Alarm Program Fee Increases, Ordinance 61-O-03 – Establishing a Moratorium in the 5<sup>th</sup> Ward, Ordinance 59-O-03 – Special Use for 640 Church St. (Type 2 Restaurant), Ordinance 49-O-03 – Planned Development (603 Main St.), Ordinance 45-O-03 – Approval of Annual Budget of Evanston Township for FY 2003-04, Ordinance 52-O-03 – Amending the City Code to Permit Sale of Meat at Farmers' Market and Funding Approval – Street Banner Program for Dodge Ave. Corridor. Seconded by Alderman Rainey. Roll call. Voting aye – Wynne, Bernstein, Kent, Moran, Tisdahl, Rainey, Feldman, Jean-Baptiste. Voting nay – none. Motion carried (8-0).

**\* ITEMS APPROVED ON CONSENT AGENDA**

**MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of June 9, 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 June 19, 2003 and the City of Evanston bills for the period ending June 24, 2003 and that they be authorized and charged to the proper accounts, summarized as follows:

City of Evanston payroll (through 06/19/03)	\$1,863,691.57
City of Evanston bills (through 06/24/03)	\$2,901,198.65

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

\* Approval of the sole source purchase from Konnerth Sales Associates/Bell and Gustus of 14 Tallmadge street lights at a cost of \$55,600. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the lowest responsive and responsible bid from Kings Point General Cement for the 2003 Alley Paving Program, Group II project, at a cost of \$682,796. (Funding is GO Bonds/CDBG Funds and special assessment process.) \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the lowest responsive and responsible bid from Northwest Ford for an F350 cargo van using compressed natural gas fuel for Facilities Management at a cost of \$25,396, including a five-year/60,000 mile warranty. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the lowest responsive and responsible bid from Crystal Maintenance Service Corp. for janitorial services at the Municipal Service Center at a cost of \$19,800 for the first 12-month period. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the contract for engineering services for capital improvements at the Water Treatment Plant by Alvord, Burdick & Howson, LLC at a cost of \$267,517. \* APPROVED – CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Approval of Change Order #1 with Belmontee Kaplan Development Corp. for the Fleetwood-Jourdain Locker Room & Lift project, for an increase in cost of \$5,774.15. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of Change Order #2 for the Hinman Tot Lot redevelopment project, increasing the contract with Pinel Andrews by \$1,055. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of Change Order #1 with RB Construction for the Dempster Street Beach Office expansion, for a not-to-exceed increase of \$16,140. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)



\* Traffic Calming Plan – Alley Speed Bumps – Consideration of a recommendation to place speed bumps in the alley at 1700 Harrison (north alley). \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Concept Plan for Lee Street including Dedication and Improvements – Consideration of approval of a concept plan for Lee Street, including street dedication and improvements. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Ordinance 58-O-03 – Easement Agreement with Onyx Waste Services – Consideration of proposed Ordinance 58-O-03, which grants an easement agreement with Onyx Waste Services Inc. to construct a visual/sound wall in an unopened alley adjacent to 1711 Church St. \* MARKED INTRODUCED – CONSENT AGENDA

Alderman Moran moved to Suspend the Rules to adopt an ordinance at the meeting in which it was introduced. Seconded by Alderman Bernstein. Motion carried. No nays.

Alderman Moran moved approval. Seconded by Alderman Rainey.

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

Alderman Kent said this was historic, an example of big business being accountable, the beginning of a long trip together and something all could be proud of.

\* Ordinance 63-O-03 – Declaring City Property as Surplus – Consideration of proposed Ordinance 63-O-03, which declares various police cars and a Fire Department van as surplus so that the items can be publicly offered for sale at the August 2, 2003 Lake County auction. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 62-O-03 – Amending Title 8, Chapters 5 & 8 regarding Garbage and Refuse in the Downtown Districts – Consideration of proposed Ordinance 62-O-03, which would institute various changes for disposal of refuse, litter and debris in the Downtown Districts. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 55-O-03 – Easement Agreement for Oxford Bank & Trust (Roszak Development) – Consideration of proposed Ordinance 55-O-03, introduced June 9, 2003, which would grant an easement agreement for subsurface sheeting with the Oxford Bank & Trust, 1572 Maple Ave. \* ADOPTED CONSENT AGENDA & ROLL CALL (9-0)

#### **PLANNING & DEVELOPMENT COMMITTEE**

\* Ordinance 54-O-03 – Granting Evanston Landmark Status to Property at 3312 Dartmouth Pl. – Consideration of proposed Ordinance 54-O-03, introduced June 9, 2003, which approves a recommendation of the Preservation Commission to grant landmark status to 3312 Dartmouth Place. \* ADOPTED CONSENT AGENDA & ROLL CALL (9-0)

#### **OTHER COMMITTEES:**

\* Approval of the 2002-2003 CAPER Report – Consideration of a recommendation of the Housing and Community Development Act Committee to approve the 2002-2003 Comprehensive Annual Performance and Evaluation Report on HUD expenditures. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (8-0)

#### **REPORT OF THE STANDING COMMITTEES**

#### **ADMINISTRATION & PUBLIC WORKS:**

Resolution 38-R-03 – Agreement with the Chicago Botanic Garden – Consideration of proposed Resolution 38-R-03, which would authorize the City Manager to sign an agreement with the Chicago Botanic Garden to conduct horticultural therapy services at the Levy Senior Center Courtyard Rothschild Garden.

Alderman Moran reported that this item was held in committee.

Ordinance 34-O-03 – False Alarm Program Fee Increases – Consideration of proposed Ordinance 34-O-03, introduced June 9, 2003, which would increase several false alarm fees and reduce the number of free false alarms in the False Alarm Program.

Alderman Moran moved approval. Seconded by Alderman Rainey

Alderman Feldman moved to amend the ordinance that would change the first category of 0-2 where there is no charge, to 0-3; the second one from 4-10. He thought an additional alarm forgiveness would make a dramatic difference. The

idea of two false alarms a year seemed oppressive and it was asking too much. Seconded by Alderman Jean-Baptiste.

Alderman Moran said when this came forward he was concerned that the bottom line interest was to reimburse the City for the costs it incurs due to responding to false alarms. When discussions started, there were a large number of false alarm responses to some of the smaller scale buildings. The original proposal was to put the onus on a few large institutions, which he thought were being asked to pay too much. An important aspect of redistributing the burden of this was to shift a greater number of free passes in the lower categories. It was in the lower categories where there were many more false alarms. The reason for change was to better capture categories of properties that generated the largest number of calls. He opposed the amendment. If they are going to entertain this seriously, he wanted to analyze the impact of the change. He recalled the numbers were considerable and a small shift could be large. He wanted the A&PW Committee and Council to understand the ramifications of the suggested amendment. He moved to hold the ordinance and refer back to the A&PW Committee for analysis. Seconded by Alderman Jean Baptiste. Motion carried.

### **PLANNING & DEVELOPMENT:**

Ordinance 61-O-03 – Establishing a Moratorium in the 5<sup>th</sup> Ward – Consideration of proposed Ordinance 61-O-03, which establishes a building permit moratorium for construction of new residential construction other than single-family residential in the 5<sup>th</sup> Ward.

Alderman Bernstein reported that this item was held in committee. There will be a Special P&D Committee on July 1 with this item first on the agenda.

Ordinance 59-O-03 – Special Use for 640 Church (Type 2 Restaurant) – Consideration of proposed Ordinance 59-O-03, which approves a recommendation of the Zoning Board of Appeals to grant a special use for a Type 2 restaurant (Sashimi! Sashimi!) at 640 Church Street.

Alderman Bernstein reported that this item was held in committee.

Ordinance 49-O-03 – Planned Development – Consideration of proposed Ordinance 49-O-03, introduced May 19, 2003, which approves a recommendation of the Plan Commission to allow construction of a 7-story, 77 dwelling unit, mixed use, residential/commercial building at 603 Main St./900 Chicago Ave.

Alderman Bernstein reported this item was held in committee.

### **HUMAN SERVICES COMMITTEES:**

Ordinance 45-O-03 – Approval of Annual Budget of Evanston Township for FY 2003-04 – Consideration of proposed Ordinance 45-O-03, introduced June 9, 2003, whereas the Council, acting as Township Trustees, would approve the annual budget of the Township for April 1, 2003 through March 31, 2004, in the amount of \$1,429,072.59.

Alderman Jean-Baptiste moved approval of the Township Annual Budget for FY 2003-04. Seconded by Alderman Bernstein.

Alderman Feldman questioned the item “forensic scientist” in the assessor’s budget. Township Assessor Sharon Eckersall said a year ago when a lawsuit was filed against the office and herself, her attorney suggested unhooking her computer, which was impounded and the hard drive was taken to Hoover & Associates. Two months ago it was determined that they would have to hire Teamwork’s to restructure the hard drive. There is a report on what they found. Based on that report, the attorney will ask for dismissal of two counts. In response to Alderman Feldman, Ms. Eckersall said that Teamwork’s are forensic scientists for computers. They restructure the hard drive with everything that has been deleted so that they could tell what work was done in her office. Ms. Eckersall confirmed that this is evidence in preparation for the court case. Her attorney will go to court a week from Tuesday requesting a dismissal.



Alderman Rainey hoped taxpayers were listening and spoke in opposition to the assessor's office. She suggested what they had heard was indicative of the way this office operates: hiring forensic scientists to investigate computers that have been ordered disconnected because there may or may not be work on them or pornography on them and an individual claiming the assessor is stalking her. This week she heard the assessor was going to people's property and measuring. She inquired of the City's legal department and found that the assessor does not have the authority to go onto anybody's property to measure. She noted the Assessor's office has budgeted \$10,000 of taxpayer funds to pay a forensic scientist. She asked if the Human Services Committee had examined this budget. She suggested they did not, because no member has any information about the forensic scientist. There is also a \$25,000 charge for legal fees, which she thought was for a lawsuit. In the current year's budget there is \$1,000 for distribution and \$1,000 for postage, which she thought were for printing materials, etc. According to information she received through March 31, 2003, the office spent nothing the last fiscal year for postage or distribution. If the answer is "yes" then the budget sheet they have is incorrect. Deputy Assessor Diane Benjamin said they spend as needed. Alderman Rainey noted from April 1, 2002 – March 31, 2003, the document received Thursday evening shows no expenditures for either postage or distribution and asked if that was correct. Ms. Eckersall explained that postage comes out of petty cash and they had a minimal postage going out in a non-assessment year. Alderman Rainey asked where petty cash was in the budget. Ms. Eckersall said the petty cash was \$200 for the year. Alderman Rainey asked why they had budgeted \$1,000 for postage if they were not going to spend it? Ms. Benjamin responded that the re-assessment year is coming up and would require mailings. Alderman Rainey noted it was in last year's budget that they levied taxpayers for postage, which they knew they were not going to use. Ms. Benjamin said many times they have mailings and are not sure when they are going out. Alderman Rainey asked where petty cash was in the budget? Ms. Eckersall would get back to her on this.

Alderman Rainey stated when the City does a budget, she trusts it and it has meaning but had trouble with this one. She recommended the assessor talk to whoever does the books so expenditures are recorded properly. If they spent \$200 on postage, it should be under postage. Alderman Rainey asked about insurance in the budget. Last year \$13,000 was budgeted, yet it shows that \$4,771 was expended and \$8,229 was left over. Ms. Eckersall explained that when Diane Benjamin took the job, she chose to have insurance. Then found out she was covered by her husband, so after four-five months, she dropped the Township insurance coverage and was insured through her husband. Alderman Rainey asked if anything was done with the extra money? No. Was Ms. Eckersall insured through the Township? No. Alderman Rainey asked about unemployment state tax last year? Ms. Eckersall stated the auditors work that up. Alderman Rainey asked why there were no expenditures for that? Ms. Eckersall asked Township Supervisor Pat Vance to respond. She explained that the payroll and unemployment state tax for the assessor came out of the General Assistance office and would not be done that way this year. Were any other costs shifted to the General Assistance office? No.

Alderman Rainey asked for a full explanation of the \$10,000 for the forensic scientist. Ms. Eckersall confirmed that the money has been spent and included court time. She said they were working on this year's budget and it was necessary for the court case. The work had to be done for the July 1 court date. Alderman Rainey noted under legal expenses, \$7,700 was spent this year. Ms. Eckersall said another bill of \$6,600 has not been paid and would be charged to the 2003-04 budget. Ms. Eckersall said Hoover & Associates send a letter with each bill. Alderman Rainey asked for more scrutiny of these matters because she thought they have an office out of control. Every time she drives by or goes into the parking lot nobody is in the assessor's office. She recognized the \$146,000 for the assessor's office is small in comparison to the City budget, but every penny of public funds should be spent in an ethical and meaningful way. She thought the assessor's office could not withstand public scrutiny.

Ms. Benjamin said they are constantly busy. Ms. Eckersall is paid minimally in comparison to other assessors in Cook County and she has never seen anybody work as hard as Ms. Eckersall for \$6,000. Ms. Eckersall believes in giving 200% to the job. There are numerous taxpayers who could testify as to what they do and that they have saved taxpayers a tremendous amount of money. She measures houses because there are many mistakes, which especially helps senior citizens. Often she works until 2-3:00 a.m. and on weekends; a file is kept on each person who comes in.

Alderman Jean-Baptiste stated the last exchange sounded like a court session with an attorney on one side and no attorney defending the defendant and a friendly judge to the prosecuting attorney. He did not think that Ms. Eckersall got a chance to explain and answer questions. He did not think that Alderman Rainey was unjustified in pursuit of the truth, however she generalized that the Human Services Committee did not pay attention to the budget and painted a

picture that the Council did not authorize Ms. Eckersall's legal defense. The trustees authorized that Ms. Eckersall be defended so she obtained defense when somebody brought a lawsuit against her within the course of her work. He looks at what regular bills reflect in legal fees and evidently this month did not pay any. Sometimes it is \$100,000 - \$300,000 to defend the City's interests. Forensic scientist fees are expensive because they are experts. He noted this office is audited annually by a licensed auditor. He wanted it understood that the trustees were not allowing an office to run haywire without accountability. Pat Vance has been open to answer questions about anything trustees did not understand. The pursuit of truth is important, but trustees have not behaved irresponsibly and allowed funds to be spent any way without oversight.

Alderman Feldman said all have opinions about the difficulties the assessor found herself in. Trustees sought the advice of counsel and were told, clearly, that it was the responsibility of the Township to defend the assessor. This was a legal obligation as would be expected if somebody on Council was in a similar situation.

Alderman Rainey said as a trustee she took full responsibility for what was on the page. She said trustees have no control or oversight over the assessor's office until they get this paper. It is the only way they can influence the assessor, who can hire whomever she wants, operate how she wants and work or not work. Voters control that every four years. Alderman Rainey stated trustees can look at the assessor's bills. She did not think there was enough scrutiny over the area trustees have control over. She has full confidence in Supervisor Vance's budget and had no questions; hoped she was over projecting on clients. Alderman Rainey is not an attorney and has every right to ask any question. She was suggesting that more people do the same.

Roll call. Voting aye – Wynne, Bernstein, Kent, Moran, Tisdahl, Feldman, Jean-Baptiste. Voting nay – Rainey. Motion carried (7-1).

Ordinance 52-O-03 – Amending the City Code to Permit Sale of Meat at Farmers' Market –  
Consideration of proposed Ordinance 52-O-03, introduced June 9, 2003, which amends Chapter 25 of Title 3 of the City Code to permit the sale of meat at the Evanston Farmers' Market.

Alderman Jean-Baptiste moved approval of Ordinance 52-O-03. Seconded by Alderman Rainey.

Alderman Rainey noted that Council members had received packets from Organic Meat Purveyors, who raised the issue that it is unfair to allow only one vendor to sell meat. She confirmed that another applicant could sell meat.

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

#### **OTHER COMMITTEES:**

Approval of Funding – Street Banner Program for Dodge Avenue Corridor – Consideration of a recommendation to approve \$7,278 in funding from the Economic Development Fund for 75% of the cost of a neighborhood banner program for the Dodge Avenue Corridor, Lake to Main streets. (25% of funding is from the Walgreens Neighborhood Fund.)

Alderman Feldman moved approval. Seconded by Alderman Rainey.

Alderman Kent saw that the Crown Park Neighbors had invested time in this and were put in a situation where there was a lack of communication. He was hearing the Crown Park Neighbors did not have the same opportunity to get their request heard. He also remembered the discussions about Walgreen's at Dodge/Main. If there is some misunderstanding, it would be a crime in the sense that this is a neighborhood that is working. Ms. Fonda did not care where the money comes from and Crown Park Neighbors were not against the banner program. He recalled that neighbors wanted the Walgreen's store there and wanted this fund. It seemed to him there was a directive put there by the Crown Park Neighbors who talked about problems they have on Dodge. He did not want to pitch for either side. He hoped they would consider sending this back.

Alderman Rainey apologized to all; explained at the Economic Development Committee meeting, when a woman asked for \$9,000 for banners for Dodge, it seemed like a lot for banners in a business district where no businesses were contributing. The fund from Dempster/Dodge has not come to fruition. Knowing about the Walgreen's fund, she thought it would be nice to share (there were other plans for that fund). She suggested the solution to this dilemma, since both groups like the banners and the initiating group does not care where the funds come from, was to return to the original idea and give \$9,000 from the Economic Development Fund and amend this by deleting the Walgreen's Fund. Seconded by Alderman Bernstein.

Motion carried. No nays.

Alderman Jean-Baptiste noted that Dickelle Fonda started this process a year ago and had approached him. The concept was further developed and other community members were contacted. Often when Crown Park East used to meet, they included the alderman, Dewey-Darrow Neighbors and Lee Street residents at their meetings. They also met with Crown Park Neighbors West and had a presentation. Judy Westbrook was present and led that meeting of about 30 people. Ms. Westbrook was also in the forefront in fighting crime there and had been to court several times so the group stayed vigilant. The problem is groups that are meeting to make major initiatives to access available funds need to pull the coat tails of their alderman. He said that Alderman Rainey may be close to organizers in the area, but he is alderman of the 2<sup>nd</sup> Ward and Alderman Bernstein is 4<sup>th</sup> Ward alderman. When people organize beyond the ward boundaries, eventually these kind of issues happen. Aldermen will take the initiative to do what is best for the ward in consultation with residents. One week ago there was a large meeting at Robert Crown Center and a number of issues were addressed. Several days ago he met with Officer Prieto, walked on Dodge Avenue and talked to youth who were hanging out. If somebody has a stake, but does not live there, he urged them to share ideas. It was important that they communicate and stay in touch. The Walgreen's fund needs people in motion. There is a new alderman so there is new input. He urged they get together and troubleshoot this to avoid later problems. The banner program goes from Lake to Main Street and into the side streets for two blocks and the names of groups are on the banners, projecting a sense of ownership.

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

### **CALL OF THE WARDS:**

**3<sup>rd</sup> Ward.** No report.

**4<sup>th</sup> Ward.** Alderman Bernstein announced a special P&D Committee meeting July 1; the first item would be the proposed moratorium in the 5<sup>th</sup> Ward and the second item would be boarded up properties. He announced Thursday evening the Task Force on Inclusionary Housing would meet to discuss the tools with which issues of affordable and accessible housing can be accomplished. There are methods by which the City can be involved with developers. He asked all to attend on Thursday, because the tools would come to Council for approval.

He thanked Senator Jeffrey Schoenberg, Representative Julie Hamos, Cook County Commissioner Larry Suffredin and Congresswoman Jan Schakowsky for their stand on the CTA issue. There was a press conference for new CTA bus schedules, which the four elected officials boycotted because funds from Illinois First a few years ago to replace and repair the viaducts were not forthcoming. The consensus was that the City was promised \$33 million as part of Evanston's Illinois First program. Evanston will get the Main Street viaduct done with four more viaducts to go.

He urged all to attend the 4<sup>th</sup> of July celebrations throughout the City.

**5<sup>th</sup> Ward.** Alderman Kent thanked 5<sup>th</sup> Ward residents who urged passing the moratorium. He and residents plan to push this forward. He thought it a good way to empower residents.

He will bring complaints from seniors about the new bus routes to the City Manager. One complaint is the busses do not start early enough for employees who don't make enough to take a taxi and cannot ride a bicycle. This needs to be fixed. He was referring to the Grant Street bus that residents don't want.

**6<sup>th</sup> Ward.** No report.

**7<sup>th</sup> Ward.** Alderman Tisdahl stated Grant Street neighbors would be delighted to have Pace mini busses cover that route. She urged they get the Pace busses running.

**8<sup>th</sup> Ward.** Alderman Rainey agreed that when neighborhood groups meet the alderman should be invited.

She announced the next evening Shure neighbors were going to meet at the Levy Senior Center about an initial proposal for use of the Shure Brothers property.

She reported attending two great block parties on Mulford and Callan the past weekend; asked why aldermen no longer receive copies of block party reports and that the reports be resumed.

She pointed out during May the Fire Department had 173 false alarm calls. Each false alarm call costs the City around \$1,700. That means that false alarms during May cost \$294,000. The other cost is, if there are two or three false alarms simultaneously, this means somebody with a heart attack or burning house will not get service if there were false alarms. She encouraged Council to give serious thought to tinkering any longer with this ordinance. Behavior modification is the key. Until serious enough sanctions are imposed, people won't change their behavior. These are not irresponsible people who have false alarms. These are responsible people who can be taught.

**9<sup>th</sup> Ward.** No report.

**1<sup>st</sup> Ward.** No report.

**2<sup>nd</sup> Ward.** No report.

There being no further business to come before Council, Mayor Morton asked for a motion to adjourn. The Council so moved at 11:10 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.