

**CITY COUNCIL**

October 27, 2003

**ROLL CALL - PRESENT:**

|                        |                  |
|------------------------|------------------|
| Alderman Newman        | Alderman Moran   |
| Alderman Jean-Baptiste | Alderman Tisdahl |
| Alderman Wynne         | Alderman Rainey  |
| Alderman Bernstein     | Alderman Feldman |

A Quorum was present.

**NOT PRESENT**

**AT ROLL CALL:**

Alderman Kent

**ABSENT:**

Mayor Lorraine H. Morton

**PRESIDING:**

Mayor pro tem Newman

In the absence of Mayor Morton, City Clerk Mary Morris announced that nominations for the election of a Mayor Pro Tem were in order and, that according with Council Rule 14.7, Alderman Newman was next on the list of aldermen by seniority who have not served as Mayor Pro Tem. Alderman Feldman nominated Alderman Newman and moved that the nominations be closed. Seconded by Alderman Bernstein. Motion carried unanimously.

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Pro Tem Newman Monday, October 27, 2003, at 8:47 p.m. in the City Council Chamber.

**ANNOUNCEMENTS:**

Human Relations Commission Executive Director Paula Haynes invited all to the American Legion's Annual Pancake Breakfast on Saturday, November 1, from 7:00 a.m. to 1:00 p.m., American Legion Hall, 1030 Central St. Tickets can be purchased at the door or from the Human Relations Commission. Proceeds are donated to the commission to purchase holiday gifts for children who are in need.

Finance Director Bill Stafford announced that 2004 City Vehicle Stickers were on sale. A new discount program for senior citizens 65 years of age who fulfill income requirements (\$30,000 for single and \$50,000 for couple) receive a 50% discount on their vehicle sticker. Senior Citizen Discount cards will be given to income-eligible seniors on special senior citizen Saturdays November 8 and 22, from 9:00 a.m. to 1:00 p.m. and Saturday, January 3, 2004 from, 10:00 a.m. to 2:00 p.m. The last day to buy vehicle stickers will be January 10, 2004.

City Manager Roger Crum announced various Halloween events for children throughout the City and that Evanston's official Trick or Treat hours will be on Halloween, Friday, October 31, from 4:00-7:00 p.m.

City Clerk Morris announced that the Chicago Transit Authority (CTA) would hold a budget hearing Thursday, October 30, at 6:00 p.m., at the Palmer House in downtown Chicago about the 25 cent fare increase.

**COMMUNICATIONS:** None

**CITIZEN COMMENT:**

Rosemary O'Neill, 2044 Sheridan Rd., noted that Garrett Theological Institute is celebrating its 150<sup>th</sup> anniversary this year with banners on their campus and on Sheridan Road between Haven and Library Place. She passed around copies of photographs showing parkway trees that were trimmed badly, removing 25 years of growth that will not come back.

She asked who was responsible for this massacre of trees; was not against the banners but was against cutting off half the trees. She asked for an explanation and how the Forestry Division functions?

Mimi Peterson, 748 Wesley Ave., on behalf of Crown Park Neighbors, expressed concern on the tabling of funds for a surveillance camera at Main/Dodge at the recent CDBG committee meeting. Since 1997, the group has worked to increase police services in this area. Alderman Feldman was supportive then and is supportive of a current initiative to install a security camera at Main/Dodge. At the Tuesday CDBG meeting there was not enough time for committee members to look closely at the information provided. She reported there were 184 police calls to that intersection, excluding 85 for traffic incidents in one year and nearly as many for the prior year. At another time the committee may have been more responsive to the 48 citizens who live on the 800 block of Dodge and are most impacted, plus the 100 other citizens who signed a petition in favor of the camera. Instead the decision to install the camera was tabled. If the decision is not to fund the camera, then what will the City Council do to ensure improved quality of services, life safety and quality of life? This Council has not committed police services to adequately meet the needs of this neighborhood. Now the CDBG Committee is on the verge of rejecting this latest effort of neighbors, businesses and Chief Kaminski. Residents need aldermen who will provide leadership on the issue of safety. She asked what action they would take to remedy the continuous destabilization of their neighborhood.

Alderman Rainey confirmed that the decision to fund the camera had been tabled. Alderman Feldman asked, due to tabling, would Council participate in that decision? Mayor pro tem Newman responded, when the CD committee recommendations are presented in January, Council can ask that the camera proposal be added and something else taken away or Council can accept the committee's recommendation. Alderman Rainey said that ultimately what he said was true but the expenditure for this camera is from leftover funds from this year and not part of revenue the City will receive for project funding in January. Money could be expended for the camera now. The committee agreed to spend \$2,000 to alter the camera at Howard/Custer. There is a philosophical problem among aldermen on the CDBG committee. Two aldermen representing that intersection oppose the camera, and instead of defeating it, they agreed to table it. If taken off the table, the CD Committee could vote for the camera at the next meeting and bring it to Council as an expenditure. In response to Mayor pro tem Newman, Alderman Rainey said about \$22-23,000 is left over. Alderman Jean-Baptiste said the comments of Mrs. Peterson dealt with improved security and quality of life. He saw that issue as almost citywide with concerns in many neighborhoods about security, community vigilance regarding destabilization and vandalism. He said that concern was manifested with a proposal to put a surveillance camera at Main/Dodge. The debate is whether that is the solution for that kind of problem. He heard him investigating as to whether the funds exist. He wanted them to stay as broad as possible with issues on the table, which are how to improve the quality of life and ensure safety. Mayor pro tem Newman was not investigating anything but trying to clear up what the procedures are; asked that any comments on the merits of a camera be held.

Judy Jager, 1002 Florence Ave., who lives at the northeast corner of Crown Park, said in recent months neighbors, business people and herself have come to Council, committees and the Police Department asking for help with the growing problem of crime and drug trafficking at Dodge/Main. Some live close to this intersection, others, such as she, live across the park and shop at the stores there. All are exasperated. In a 12-month police report presented last Tuesday to the CDBG Committee there were dozens of complaints about loud, disorderly behavior by large, intimidating groups gathered in front of businesses and reports of two dozen thefts. More than 15 times per month citizens call to report such activity and numerous incidents of fighting, drug dealing, damage to property and even possible prostitution. Recently there was a bomb threat. Neighbors need action. She had two requests. Last Wednesday two citizens attended the court hearing for the attackers of Paul Schmidt, Walgreen's manager, who received a concussion Memorial Day weekend when he was assaulted in the store. Neighbors believe a larger police presence would be the most effective way to discourage criminal activity. But they are told repeatedly that there are no funds for police officers. So they do what they can. When asked by the police, residents and business people step forward and become openly identified, sign complaints and attend court hearings to support police, victims and witnesses. This is done in the interest of a safer neighborhood. It takes courage and people have to take time off from work to do it. Wards 2, 4 and 9 meet at Dodge/Main. She asked if residents are expected to come forward, that their aldermen stand with them and lead the way at the next hearings. Many who live there were encouraged when Chief Kaminski asked for \$21,000 in CDBG funds to install a surveillance camera at Main/Dodge. Again, because neighbors are told there are no funds for police officers, this seemed a way to at least discourage some of the worrisome activity at Dodge/Main. In the 4<sup>th</sup> Ward, 49 people signed petitions supporting

the proposal. Unfortunately, the CDBG Committee tabled action on the camera on October 21. She strongly urged aldermen who sit on the CDBG committee to move forward without delay on this proposal. Residents look to Council for leadership. She asked for help to reclaim the Main/Dodge intersection for residents and business people intent on keeping the area a good place to live and work.

Karen Bond, 920 Dodge Ave., asked several years ago not to build a Walgreen's at Main/Dodge; has owned property there since 1980 and knows the neighborhood. She said they can be more like Church/Dodge or Oakton/Dodge. Their neighborhood is in transition and could go either way. She had urged putting Walgreen's at Dempster/Dodge and not at Main/Dodge. Additional police are needed due to the kind of people who come and don't live there. She has attended meetings with neighbors and Chief Kaminski. A surveillance camera was never mentioned. She had no idea \$24,000 was available because she would have had a proposal for those funds and not for a camera. She asked how a Council that passed a resolution against the USA Patriot Act could condone this kind of surveillance. She said that somebody on the CDBG Committee asked what does Karen Bond think about this. Mrs. Peterson stated that Karen Bond approved 100%. She walked into that meeting and that was why they were here that evening, otherwise the camera would have been purchased. She proposed a moratorium on further installation of surveillance cameras. It seemed that, as Alderman Jean-Baptiste said, they are falling into a syndrome of installing these cameras where African American males tend to congregate. That is a problem that needs to be examined. Are there other alternatives? She proposed that this money be used for programs at Robert Crown Center; does not see people of color there regularly but sees them in the neighborhood. She proposed this money be used to hire somebody to work from 2-6:00 p.m. to put together programs to find out who these youth are, their parents and teachers, whether they are latchkey kids and which are involved in crime and which are not. She asked Chief Kaminski to rank corners in Evanston and he told the CDBG Committee that Main/Dodge is not one of the top three. If it is not one of the top three, why have a camera?

(In reference to the next speaker, Mayor pro tem Newman explained that the P&D Committee that evening accepted the appeal by Jim McAuley and voted to affirm the decision of the Preservation Commission.)

Jim McAuley, 1333 Church St., owner of a landmark home on the northeast corner of Church/Wesley, appealed the decision of the Preservation Commission based on an arbitrary "taste" preference for location of a garage that he proposed to build. He used the word "arbitrary" because he felt it was his preference versus their preference. As in baseball in the case of a tie, the decision should go to the homeowner. He brought photographs for the committee; did not believe there was any significant visual impact on the view of his home from Church Street based upon his proposed location of the garage. He did not think that it would block the bay, which has historical significance. Less land is paved over in his proposal, which is significant for gardening and the environment; thought there was a better view from his windows of the yard, versus the Commission's and a better view from his neighbor's windows. His proposal creates private space for the yard that he does not have now. His proposal has no long-term impact on the property and could easily be removed. He said the garage visually compliments the house so the garage has a minimal view. The difference is 92 feet versus 107 feet from the street. He saw this as a visual tie and he has invested large resources to bring this home from the brink of dilapidation, so the tie should go to the homeowner.

Barbara Gardner, 1015 Dobson St., chair, Preservation Commission, reported that a relative of Mr. McAuley attended the August meeting of the Preservation Commission on his behalf. He asked for appeal plans for a garage and side yard fence. The commission approved modification of his plans for the side yard fence and the garage. At the September meeting Mr. McAuley came and appealed the commission's earlier decisions. He showed mockups of both the fence and the garage. The commission revised its previous ruling on the fence but again did not approve the preferred location for the garage. She was not at the August meeting. Mr. McAuley used her comments out of context at the September meeting and she wanted to respond. She did say that she does not like garages in front yards. This was in reference to her question why the garage and driveway could not be at the very back of the property with the driveway off of Wesley. The decision of the commission to push the garage back was not arbitrary. It was voted on in August and affirmed in September. She also did not think the 15-foot difference was a small impact. Two criteria are relevant to placement of the garage. The rhythm of solids to voids in front facades of a structure states that the relationship of solids to voids shall be visually compatible with property structures, sites, and places to which it is visually related. A building is a solid. A yard is a void. When the side yard of 1333 Church is visualized with the one to the east, the garage in his location, there would be virtually no void. and too many solids. By pushing the garage back the additional footage, it increases the voids

and makes it look like there is more space between the structures. The second criteria states that the relationship of a structure or objects to the open space between it and adjoining structure or objects shall be visually compatible with the properties, structures, sites, public ways and places to which it is visually related. All houses on this street have significant side yards and this garage will penetrate this open space. Mr. McAuley states this garage will be 92 feet from the street. The beginning of his house is 74 feet from the street. As somebody drives down Church Street and looks at houses there, the view of the bay window will be partially blocked. By pushing the garage back, the greatest portion of the house will still be in plain view. It would have been preferable if he located the garage in the back northeast corner of the lot. The commission was trying to find a compromise in view of the increased cost of putting it there. Mr. McAuley speaks of the view of the garage from the view of the kitchen. By putting the garage parallel to the bay, he will affect the view from that location and will have more impact because three windows are obstructed. He also states he will lose potential for yard space to be visually private. His entire backyard, which is between 15-20 feet from the back of the house to the lot and 75 feet across the yard, is fairly large and still could be visually private since the garage will end at the same place as the house. Since they followed standards in approving the revised location, she urged them to uphold their decision.

Jonathan Perman, executive director, Chamber of Commerce, mentioned that the CTA hearing would not only address the proposed fare increase but also their capital plan that will include money for Evanston's viaducts, which many have pushed for. He spoke about the proposed natural gas tax increase; passed out an analysis of the current tax system and the proposed tax system. He used the analogy of someone who received most of their software from Microsoft, but found another supplier to provide it that offered the same product for 10% of the price they paid to Microsoft. Then the City comes along and taxes that deal at a 50% rate. Currently the natural gas tax rate that commercial/industrial buyers pay is 19%. This proposal jacks that up 50%. In the 1980s, they called it tax simplification. This is being called tax equalization but he calls it tax exacerbation because it does not equalize but rather penalizes businesses because they have found a better deal for themselves in purchasing natural gas. It is a deal that any residential natural gas buyer can use under deregulation. He noted this does not cost the City anything. If this was a tax based upon additional services used, perhaps it could be justified. He saw it as a grab for additional dollars and was unfair to small businesses that buy gas through brokers. There is no other way that utilities are taxed than by use of that utility or by the price of that utility. He said there is no tax rate that comes close to 50% on water or electricity. All buyers are taxed at the same rate. This does not hurt the residential tax rate. He found this bad public policy, bad small business policy and bad economic policy at a time when the state has put another 2.4 cents on commercial buyers of natural gas. He asked that this be held until the next meeting so they can have a fair debate.

Dick Peach, president, Chamber of Commerce, spoke about the natural gas use tax; manages a small business at 2001 Dempster St. He found the idea of equalization rather interesting. The equalization implies the business community is in an unfair position whereas every homeowner can buy from a broker (as he does) therefore, he will be taxed unequally because he found a better way to buy natural gas. When he looks at business costs, this will increase his utility cost by 5% each month. If they told homeowners that they would get 5% added to their fuel costs this winter, he thought this would not be discussed. He asked Council for time to talk about this and look at its impact on the business community.

Alderman Feldman asked for a response from staff and whether this really becomes a 50% tax.

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

Alderman Feldman moved Council approval of the Consent Agenda with these exceptions: Ordinance 92-O-03 – Equalization of Gas Use Tax to Gas Utility Tax, Proposed Planned Development – 801 Chicago Ave., Consideration of Appeal of Preservation Commission Approval, Ordinance 99-O-03 – Special Use for 315 Howard St. (Type 2 Restaurant) and Ordinance 101-O-03 – Special Use and Variance for 2115 Ashland Ave. (Religious Institution Parking Lot). Seconded by Alderman Rainey. Roll call. Voting aye – Newman, Jean-Baptiste, Wynne, Bernstein, Kent, Moran, Tisdahl, Rainey, Feldman. Voting nay – none. Motion carried (9-0).

#### **\* ITEMS APPROVED ON CONSENT AGENDA**

#### **MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of October 13, 2003 and the Special City Council Meeting of October 20, 2003. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

**ADMINISTRATION & PUBLIC WORKS:**

\* Approval, as recommended, of the City of Evanston payroll for the period ending October 23, 2003 and the City of Evanston bills for the period ending October 28, 2003 that those be authorized and charged to the proper accounts, summarized as follows:

|   |                |
|---|----------------|
| City of Evanston payroll (through 10/23/03) | \$1,971,445.86 |
| City of Evanston bills (through 10/28/03)   | \$6,751,313.46 |

\* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Approval of the lowest responsive and responsible bid from Logdson Office Supplies, a WBE, for a three-year contract with two one-year renewals for office supplies. (Funding is through departments' office supplies budgets) \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Approval of the purchase of 155 trees for fall planting from Suburban Tree Consortium in the amount of \$30,479.90, with 5 trees purchased from E.A. de St. Aubin (in the amount of \$2,329) and 9 trees from Arthur Weiler (in the amount of \$2,970) for Parks/Forestry & Recreation. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Approval of Change Order #16 (Rothschild Garden donor recognition) with the Meyne Company for the new Levy Center courtyard project, increasing the project cost by \$12,059, from \$7,606,624 to \$7,618,683. (Funds are in the CIP and in part through private donations.) \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Approval of Professional Service Contract Revision #1 for Eggleston Park Redevelopment, increasing the project cost by \$5,200 to the pre-qualified Site Design Group contract, from \$31,440 to o\$36,640. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Approval of Change Order #3 with Schoenbeck Corp. for the Merrick Rose Garden renovation project, increasing the cost by \$2,613.46, from \$295,548.81 to \$298,162.27. (Funded through GO Bonds.) \* APPROVED - CONSENT AGENDA MOTION & ROLL CALL (9-0)

\* Approval of Amendment #3 with Harza Engineering (dba MWH Americas) for engineering services during construction of Phase VI, Contract B of the relief sewer work, for an increase of \$22,720.14, from \$912,786.39 to \$935,506.53. (Funding is the Sewer Fund.) \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)



\* Traffic Calming Plan: Speed Humps - Consideration of a recommendation to place speed humps on Grey Avenue between Church and Emerson streets. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Traffic Calming Plan: Speed Humps - Consideration of a recommendation to place speed humps on Wesley and Jackson avenues between Emerson and Foster streets. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Resolution 67-R-03 – Revised Joint Agreement with IDOT and Village of Wilmette – Consideration of proposed Resolution 67-R-03, which approves a revised joint agreement with IDOT and the Village of Wilmette for Phase I of Isabella Street bridge project. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Ordinance 94-O-03 – Extension of TIF District Tax Levy Collection (Downtown II Redevelopment

Project) – Consideration of proposed Ordinance 94 -O-03, introduced October 13, 2003, which approves an amendment to the redevelopment plan and project for the Downtown II Redevelopment Project. \* ADOPTED CONSENT AGENDA AND ROLL CALL (9-0)

\* Ordinance 95-O-03 – Extension of TIF District Tax Levy Collection (Howard-Hartrey Redevelopment Project) – Consideration of proposed Ordinance 95-O-03, introduced October 13, 2003, which approves an amendment to the redevelopment plan and project for the Howard-Hartrey Redevelopment Project. \* ADOPTED CONSENT AGENDA AND ROLL CALL (9-0)

\* Ordinance 96-O-03 – Extension of TIF District Tax Levy Collection (Southwest Redevelopment Project) – Consideration of proposed Ordinance 96-O-03, introduced October 13, 2003, which approves an amendment to the redevelopment plan and project for the Southwest Redevelopment Project. \* ADOPTED CONSENT AGENDA AND ROLL CALL (9-0)

\* Ordinance 97-O-03 – Extension of TIF District Tax Levy Collection (Washington National Redevelopment Project) – Consideration of proposed Ordinance 97-O-03, introduced October 13, 2003, which approves an amendment to the redevelopment plan and project for the Washington National Redevelopment Project. \* ADOPTED CONSENT AGENDA AND ROLL CALL (9-0)

#### **PLANNING & DEVELOPMENT:**

\* Approval of Homeless Shelter Exemption – Consideration of request to approve a one-year extension of the exemption (granted by Ordinance 49-O-86) from special use provisions for the Homeless Shelter at 607 Lake St. Public Hearing to be held at P&D Committee meeting preceding this Council meeting. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Request for Additional Funding – Consideration of a request from Econ Housing for \$31,000 in additional funding to help defer additional costs for the affordable single-family home built at 1816 Darrow Ave. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Request for Housing Rehabilitation Loan – Consideration of a request from Over the Rainbow Association for loan funds in an amount not to exceed \$90,000 for completion of a roof replacement at Hill Arboretum Apartments, 2040 Brown Ave. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

\* Ordinance 100-O-03 – Special Use for 1549 Sherman Ave. (Type 2 Restaurant) – Consideration of proposed Ordinance 100-O-03, which approves a recommendation of the ZBA to grant a Special Use for a Type 2 restaurant, the Italian Coffee Bar, at 1549 Sherman Ave. \* MARKED INTRODUCED – CONSENT AGENDA

#### **OTHER COMMITTEES:**

\* Resolution 66-R-03 – Estoppel Certificate – Consideration of proposed Resolution 66-R-03, which authorizes the City Manager to sign an estoppel certificate clarifying terms and conditions of the redevelopment agreement for 909 Davis St. \* APPROVED – CONSENT AGENDA MOTION AND ROLL CALL (9-0)

#### **APPOINTMENTS:**

Mayor Morton asked that the following re-appointments be introduced

Julie Collins  
909 Washington St.

Arts Council

|  |                               |
|--|-------------------------------|
| Maria Elisa Laracuenta-Ast<br>2320 Bryant Ave. | Arts Council                  |
| Kurt Schauer<br>933 Asbury Ave.                | Arts Council                  |
| Susan E. Black<br>1523 Greenleaf St.           | Commission on Aging           |
| Andre Carvalho<br>2009 Harrison St.            | Housing Commission            |
| Thomas O. Marxsen<br>535 Hinman Ave.           | Housing Commission            |
| Susan Munro<br>1316 Maple Ave.                 | Housing Commission            |
| Lawrence M. Ruffolo<br>1213 Ashland Ave.       | Human Relations Commission    |
| Mark Metz<br>2125 Sherman Ave.                 | Playground & Recreation Board |

Mayor Morton asked that the following re-appointments be introduced:

|                                     |                     |
|-------------------------------------|---------------------|
| Sandra Smith<br>1740 Hinman Ave.    | Commission on Aging |
| Jane W. Grover<br>2703 Prairie Ave. | Mental Health Board |

\* MARKED INTRODUCED – CONSENT AGENDA

Mayor Morton asked that the following re-appointments be confirmed:

|   |                     |
|---|---------------------|
| Virginia O. Roeder<br>2016 Sherman Ave.<br>For term ending November 1, 2006 | Arts Council        |
| Eric J. Parker<br>1218 Washington St.<br>For term ending November 1, 2006   | Commission on Aging |
| Rudolph A. Wolfson<br>726 Michigan Ave.<br>For term ending November 1, 2007 | Energy Commission   |
| Mardi Klevs<br>2641 Prairie Ave.<br>For term ending November 1, 2007        | Environment Board   |

Gwendolyn Burton Poole  
341 Sherman Ave.  
For term ending November 1, 2007

Environment Board

David E. Schoenfeld  
2039 Orrington Ave.  
For term ending November 1, 2006

Housing & Community Dev. Act Cmte.

Ronald Kysiak  
1508 Elmwood Ave.  
For term ending November 1, 2006

Public Art Committee

Dorothy A. Laudati  
2214 Lincoln St.  
For term ending November 1, 2006

Public Art Committee

Sally Lupel  
1108 Hinman Ave.  
For term ending November 1, 2006

Public Art Committee

\* APPROVED – CONSENT AGENDA

### REPORT OF THE STANDING COMMITTEES

#### ADMINISTRATION & PUBLIC WORKS:

Ordinance 92-O-03 – Equalization of Gas Use Tax to Gas Utility Tax – Consideration of proposed Ordinance 92-O-03, introduced October 13, 2003, which approves an equalization of the Gas Use Tax to the Gas Utility Tax, creating equity in taxation among residential, commercial and industrial sectors.

Alderman Moran moved to amend Ordinance 92-O-03 to decrease the gas use tax from 3¢ per therm to 2.5¢ per therm. Seconded by Alderman Feldman. Voice vote. Motion carried. No nays.

Alderman Moran moved approval of the ordinance as amended. Seconded by Alderman Feldman.

Alderman Jean-Baptiste moved to hold this over. Seconded by Alderman Kent.

At the request of two aldermen, Ordinance 92-O-03 will be held over to the November 10 Council meeting.

#### PLANNING & DEVELOPMENT:

Proposed Planned Development – 801 Chicago Ave. – Consideration of a recommendation from the Plan Commission to deny a proposed planned development at 801 Chicago Ave.

As Chairman of the Planning & Development Committee, Mayor pro tem Newman reported that this item was held in committee.

Consideration of Appeal of Preservation Commission Approval – Consideration of an application for appeal by the property owner of 1333 Church St. of the Preservation Commission approval of a Certification of Appropriateness requiring additional front-yard setback for construction of a new garage.

Mayor pro tem Newman reported the committee accepted the appeal and moved that Council accept the appeal. Seconded by Alderman Wynne.



Alderman Jean-Baptiste thought for the entire Council to address this appeal would require some investigation. He did not have the benefit of the discussion at the P&D Committee and wanted to read the minutes of that meeting.

Mayor Pro tem Newman called upon 1<sup>st</sup> Assistant Corporation Counsel Ellen Szymanski who directed them to Section 2-9-8-G of the Preservation Ordinance. At that evening's meeting, the Council must decide whether they will accept the appeal. If Council accepts the appeal, that gives Council 45 days in which to affirm, deny or modify the Preservation Commission's decision. There is a jurisdictional aspect. That evening, if there is no motion to accept the appeal, it is final. The applicant's remedy would be to go to the Circuit Court.

Mayor pro tem Newman stated the committee had a two-part recommendation: that they accept it because they wanted to hear the appeal and meet the jurisdictional requirements of the ordinance. If they vote to hear the appeal, when they get to the merits, there would be an opportunity to hold it over. If they don't accept the appeal that evening, the appellant would essentially be defeated.

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

Voice vote to hear the appeal. Motion carried. No nays.

Alderman Jean-Baptiste moved to hold the item over. Seconded by Alderman Bernstein. At the request of two aldermen this item will be held until the November 10 City Council meeting.

Alderman Feldman requested all documents and materials be provided. Mayor pro tem Newman said assuming they all got the same packet, what is coming are minutes; asked staff for all photographs and the commission's written statement.  
Ordinance 99-O-03 – Special Use for 315 Howard St. (Type 2 Restaurant) – Consideration of proposed Ordinance 99-O-03, which approves a recommendation of the ZBA to grant a Special Use for a Type 2 restaurant, Quiznos Classic Subs, at 315 Howard St.

Mayor pro tem Newman announced the committee voted 5-0 to deny the special use. On behalf of the P&D Committee he moved to deny the special use on the basis of traffic and parking concerns. Seconded by Alderman Wynne.

In response to Alderman Moran, Alderman Rainey said that those not on the P&D Committee did not see the photographs that she took on the 300 block of Howard Street. The issues at 315 Howard are garbage, traffic and parking. In front of the location is a street that dead ends with Howard Street, north from Chicago. Busses make that turn and there is no opportunity for loading/unloading. Quiznos requires a 20-foot truck and there is no parking. Garbage is a disaster in the 300 block of Howard Street. The City requires the two building to line their trash cans on the City sidewalk because the alley is inaccessible. It is unfortunate that Quiznos selected 315 Howard. She was not critical of Quiznos' business and thought there were other locations for them. She stated that 315 Howard is the most inaccessible storefront location in Evanston with no parking, the inability to collect garbage and has heavy vehicular traffic.

Roll call. Voting aye – Newman, Jean-Baptiste, Wynne, Bernstein, Kent, Moran, Tisdahl, Rainey, Feldman. Voting nay – none. Motion carried (9-0).

Ordinance 101-O-03 – Special Use and Variance for 2115 Ashland Ave. (Religious Institution Parking Lot) – Consideration of proposed Ordinance 101-O-03, which grants a Special Use for a religious institution parking lot to the Evanston Congregation of Jehovah's Witnesses, Inc., at 2115 Ashland Ave.

Mayor pro tem Newman asked that this be marked introduced and referred back to the committee.

### CALL OF THE WARDS:

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste spoke about improving the quality of life here. He has always felt safe in Evanston since he came here in 1964, because this City tolerates differences among people. He stated if they don't pay attention

to what is going on with young people, the community would end up with many of them as liabilities. Evanston will have a great downtown, beautiful lakefront and many safe neighborhoods. But there will be developing among them a problem due to lack of attention. He stated that some youth have not been addressed directly here. Last week when he and Alderman Feldman discussed the proposed camera at Main/Dodge, they talked about what the problem is and how could it be rectified. Alderman Feldman pointed out the problem is so vast, citing an article he just read that said 75% of black youth in Chicago are unemployed. He did not know Evanston's statistics and thought they were not less. They also discussed youth who grow up here and have a run-in with the law and do not have a re-entry process into the mainstream. Alderman Jean-Baptiste has a couple of neighbors in their early 20s who have had some run-ins with the law; are looking for work and cannot find work. He sees this all over town. He saw this as creating a liability over the long term if they do not intentionally pay attention to the well being of these young people who suffer from a crisis of expectations. They have nothing to look forward to. There are no jobs and no one seeks to address their concerns other than the criminal justice system. They have no expectation of getting married, settling down and raising a family because they have no prospect of ensuring a quality of life. So, many of these young men hang out on the corners and end up getting into conflicts with the police. They have constant interaction with Evanston police. One of the things he likes about the Evanston Police Department is its philosophy that community policing is an important component of its work but was not sure of the extent of its practice; does not see a visible police presence in the community and interaction with residents and youth. Perhaps Evanston does not have enough officers. Even in "hot spots" he does not see a police presence that is sufficient to abate the concerns that Mrs. Peterson and Mrs. Jager pointed out. He stated that the City Council has a responsibility to intentionally address the needs of Evanston's youth and, in that context, he opposes the surveillance camera. He does not see a threat at Main/Dodge or one that was raised as a major issue. He asked if they were not abdicating their responsibility to try to build this community in that they have responsible citizens who grow up to be concerned about the safety of one another when they decide to plant cameras as the method to curtail criminal activity or vandalism. If that is the pattern they utilize, in 15 years they will see dozens of cameras all over. He stated that those cameras will not go to Clark/Sheridan Road or for surveillance of NU students. The cameras will go where black youth congregate, Simpson/Dewey, Howard/Custer and Main/Dodge. He said that would be the result because that is where most of the interaction goes on between police and black youth. He suggested, as opposed to discussing cameras at the Human Services Committee, that they broaden the discussion to talk about the state of youth in Evanston and what can be done to begin to address some of their concerns. They could investigate what is going on, employment issues, what are recreation centers are doing to assist, and the relationship with ETHS and the Police Department. From there they can fashion some methods to rectify problems they see over the long term as opposed to the "band aid" solution to plant a camera. To him, that would surrender their humanity and turn them into a society where they relegate the effort necessary to make things happen to machines as opposed to taking the time to try and bring about a better quality of life. Alderman Jean-Baptiste made a reference to the Human Services Committee to address the state of youth in this community and to see how they can fashion remedies to begin to transform what may be a pattern that is developing of increased vandalism and increased liability of these youth on the overall community.

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

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

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

**6<sup>th</sup> Ward.** Alderman Moran announced a meeting of the Zoning Committee of the Plan Commission the next morning at 8:00 a.m., Civic Center, to discuss potential recommendations on changes to residential bulk limitations (the tear down issue). The Zoning Committee met July 9, 17, 30, August 20, September 10, 17, October 8, 21. He hoped the committee will wrap up its discussion on potential suggested changes to the Zoning Ordinance related to residential bulk limitations. The issue will be on the Plan Commission's November 12 agenda and a lot of 6<sup>th</sup> Ward residents will be interested. On Thursday evening there will be a meeting at the Central Street Branch of First Evanston Bank & Trust Company regarding a potential redevelopment of sites at 2812-14 Central Street, which will be the continuation of a discussion regarding redevelopment of Central Street that began some years ago. That began with establishment of a building at Central/Central Park followed by a building at Central/Hurd. This building is over in the Reese area, near the White Hen. Everyone interested is invited. He said there is a need for an examination of the overall redevelopment on Central over the next few years and decades. He stated a vision and plan are needed for that redevelopment; asked Council, as they look toward budgeting, that funds be allocated for planning on Central Street so they can proceed with development of

that vision.

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

**8<sup>th</sup> Ward.** Alderman Rainey responded to Alderman Jean-Baptiste; does not feel responsible for problem youth here and thought that many other citizens feel that way. She pointed out there are four police officers in community policing and they cannot do the job. In Evanston \$16,000 is spent annually on every ETHS student and ETHS students can get an education. Hundreds of thousands and millions over the last few years have been spent on mental health and drug programs. Millions are spent annually on parks and recreation to which everybody has access. Thousands in scholarships are available to students who avail themselves and any youth or person who wants to be part of a cultural arts or recreation program may do so. Hundreds of thousands are spent on a community defender program, which deals with the very youth Alderman Jean-Baptiste is talking about. This community instituted a special public defender program for youth so they would not get caught up in the Cook County Court system. It is fully funded by the City and other sources. The Youth Job Center has received millions of dollars over the past 20 years from the City. That program deals specifically with troubled and hard-to-place youth including those with juvenile offenses. She said at some point, they need to stop pointing the finger at themselves and ask when are people who get into trouble and their families going to start taking some personal responsibility for the condition they find themselves in. She noted there is only so much a community can do. Of all the communities she knows of, Evanston gives till it hurts to help everybody in this community get a fair shake. Instead of trying to pass guilt or place blame on the community, those in trouble need to start taking some responsibility.

She reported in the past two weeks in Brummel Park there were four BB shooting incidents; a rock through a window; four vicious graffiti attacks with language you would not want anyone to see. This past weekend in Elks Park a mattress was dragged under a huge piece of equipment, flooded with gasoline and set on fire. The park was burned down.

**9<sup>th</sup> Ward.** Alderman Feldman said he and Alderman Jean-Baptiste had a wonderful conversation recently and agreed on many things including what society has to demonstrate for those in trouble. They have heard from Alderman Jean-Baptiste about youth in the community and he was sure the community shares that concern. He does and Council over time has demonstrated that. From the time he came here some 30 plus years ago and since he has been on Council he has seen the agony and deep concern that Council has shown over not being able to do more. He asked why did they not do more? They did not do more because that was all they could allocate and still balance the demands of others. He suggested if you asked people if the City is spending enough on parks, individuals would probably say no. Are they spending enough for the elderly? No. Are they spending enough on youth? No. Are they spending enough on police services? No. Are they spending all they can? Perhaps. He knows that everything is priority, which they have discussed. One of the things that happens when the City cannot put enough police or social workers to bear upon a specific problem is they look for other solutions. He was not suggesting that it is not a reasonable debate as to how money is spent. Everything that Alderman Jan-Baptiste has said they can talk about. But it doesn't mean until they talk about it or find a universal solution, something that fits all of the problems and concerns that they cannot focus on one. He stated that problems are solved one at a time; actually solved one individual at a time. In any program they have will focus on one child, then another. It is not a board thing that doesn't focus on the individual or problem. What they have on Main/Dodge is that. Karen Bond said there are three other places in town that are worse. That may be true but they have not heard a group of citizens come to Council and ask to put a camera on one of those corners. If they had heard that, it would be derelict not to entertain such a motion. What they have is a group of people who don't talk about who is congregating, but about behavior that does not meet their standards of safety and comfort in this community, negative behavior, not positive behavior. They are talking about crime and intimidation. That is not allowable on corners and not in front of a mercantile area where people go to shop. Alderman Jean-Baptiste may feel safe but there are others who do not feel safe. If he feels safe, he has no issue but that does not prevent them from attempting to address the needs and concerns of people that don't feel safe, that cannot walk into a 7-Eleven without feeling intimidated, witness drug dealing and hear music playing so loudly they cannot converse with their friends. It looks like the neighborhood is not being policed and held up to a standard they feel comfortable with. He thought they have every right to do that as long as it does not impinge upon the rights of others.

He heard that it would be all right for the camera to go someplace else that needs it more. There was a reference to other

corners that need a camera more, so why put one at Main/Dodge? The reason it is needed is that certain things are happening that are unacceptable to neighbors. It is needed because this Council and the community have not decided to provide all the resources necessary to replace that camera. He was not saying they never would. They might and they might not and that could take a long time and planning. That does not preclude the idea of a useful tool that up to now has not had one single complaint that civil rights have been denied. If they had seen complaints, that would be another issue. They are talking about the same Police Department that Alderman Jean-Baptiste was lauding for community policing. He does not know of any incident that would lead him to believe that these cameras would be used unfairly. They need to be vigilant that the camera is monitored and controlled. Why deny people of the community a tool that may or may not be effective and the same thing could be said about police officers. He said they have ways of responding to issues and they should respond differently. Because they pay attention to other kinds of solutions does not mean they cannot grant people what they deserve. What Alderman Jean-Baptiste is saying is that they haven't defined and focused on the real problem. That people need personal kinds of attention that they are not getting. He is correct, there are no jobs for people coming back from incarceration. He hoped that this society and this City could remedy that. Those were aspirations of many. He asked Alderman Jean-Baptiste to give credence to people who say, "I'm here too. I need something from the City to demonstrate that it has concern for the kind of condition in my neighborhood that I want remedied." Street corners should not be intimidating places and should not have constant police surveillance, or be filled with crime and drug dealing. Citizens have said that they have not figured out how to solve a problem. They may have. They may affect it, change or alter it, on the grounds that people in the 9th, 4th and 2<sup>nd</sup> wards might consider that the camera is a solution available to them and Council is saying it is tabled. What are tabled are their needs and feelings of not being represented. He volunteered to chair that committee and thought the reference was right on the mark, a challenge to the Human Services Committee and Council but that does not replace the desire of the community to protect itself.

**1<sup>st</sup> Ward.** Mayor pro tem Newman found part of the discussion about cameras to be unfortunate. There was a reference to the 1<sup>st</sup> Ward that there would not be cameras on Sheridan, Clark and that more is done in the downtown and lakefront, which he found unfortunate. He would love to have cameras near the El stops at Davis, Noyes and Foster; would like cameras on Sherman Ave. where women have been accosted by so-called homeless people just out of the penitentiary, who say they needed a dollar to get a job. They say that in the winter when it is dark and few people are around. The 1<sup>st</sup> Ward will accept cameras and, to imply that residents would not accept cameras, is wrong. He referred the issue of cameras to the Human Services Committee and had no objection to another youth discussion. A camera could be paid for from CDBG money, Walgreen's money or the Police Department budget. So the issue of cameras does not have to be part of a youth discussion. In regard to youth, he has voted on 11 budgets, which reminded him of a letter in the *Evanston Review* about the contributions of NU students. People don't realize, that property owners paid \$29 million in property taxes for the City's 20% share of the bill, which means Evanston businesses and residents paid \$150 million. It was mentioned how people are counted in the census for CDBG funds. Everybody is counted for CDBG and everybody pays water bills and sales taxes but only one sector pays property taxes. If Evanston did not have the highest real estate tax, highest sales tax and highest gasoline tax, more could be spent on youth. In his 12 years on Council there were many discussions about youth services. Alderman Rainey went down the list but did not mention the Youth Services Bureau at the Police Department, which has spent between \$100-150,000 a year, which adds up to millions over ten years. When a camera is purchased it costs \$21,000 one-time and is not like funding a police officer. If the City had more money he would like to have more police officers. There comes a point where taxes are so high that options are limited and they cannot go to the community and ask for sales taxes of 10% or to senior citizens and ask them to pay \$17-18,000 in property taxes. Some 1<sup>st</sup> Ward residents pay more than \$28,000 to live here. He took issue that other neighborhoods around the City would not allow cameras. This camera is an option and a tool and should be used in some places and not in others. People are entitled to debate that issue. If they want to discuss youth, they should because they are extraordinarily important. When money is spent on youth and it is not in his ward, he does not complain that another ward is getting more. He wants to spend the money necessary to have parks and recreation for everybody.

He made the reference that the item on cameras simply be referred to Human Services Committee as a separate item and they will consider whether they will pay for the cameras and the policy behind it.

The November 3 Human Services Committee will have a full agenda and he asked that both references be put on.

One thing that came up on redistricting and voting patterns recently were races in the 2<sup>nd</sup> Ward. Dennis Drummer defeated Sue Calder and Betty Paden defeated Joanne Masuret before redistricting in 1992. At that time, the percentage of whites was 56% and 31% African American. He noted there are currently four African Americans on the District 202 school board out of seven elected citywide in a city with approximately 25% African Americans. He thought it a credit to the community because it shows that anybody who runs for office has a fair chance of winning.

There being no further business to come before Council, Mayor Pro Tem Newman asked for a motion to adjourn. The Council so moved at 10:32 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.