

CITY COUNCIL

March 13, 2006

ROLL CALL - PRESENT:

Alderman Holmes
Alderman Moran
Alderman Tisdahl
Alderman Rainey

Alderman Hansen
Alderman Jean-Baptiste
Alderman Wynne
Alderman Bernstein

A Quorum was present.

ABSENT:

Alderman Wollin

PRESIDING:

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, March 13, 2006, at 8:51 p.m. in the Council Chamber.

ANNOUNCEMENTS:

Parks/Forestry & Recreation Director Doug Gaynor announced that the Robert Crown Speed Skating Club and former fire chief Sanders Hicks, will bring Olympic Gold Medal winner Shani Davis to the March 27 City Council meeting. In addition there will be a reception for Shani Davis at Robert Crown Center on March 31 at 7:00 p.m.

Public Works Director David Jennings reported work would begin on the \$5.1 million McCormick Blvd. reconstruction project in the next few weeks and expect completion in the 2006 construction season. Currently workers are burying the overhead utility lines in the Arboretum on McCormick, which is not part of this project. The work on McCormick will be completed in stages. The first stage is the drainage system that will take storm water off the street and into the canal. Two-way traffic will be maintained during that phase. The second stage will start March 27 with detouring of south-bound traffic in sections south of Bridge St. The next phase will close McCormick between Bridge St. and Green Bay Rd. to allow for reconstruction of that section while school is out. This aggressive schedule calls for six-day work weeks from 7:00 a.m. to 7:00 p.m. Electronic boards will be up to advise motorists of upcoming work.

The Preconstruction Conference with IDOT, the City, and engineers is scheduled before works starts on Wednesday March 15. More information will be posted on the web and hand-delivered to nearby neighbors.

He announced that street cleaning and yard waste pickup would begin April 3 and yard waste drop off at the Recycling Center would start April 7. Street cleaning schedules are in *Highlights* and posted on the web. Residents who call the Sanitation Division will have a copy of the street cleaning schedule mailed to them.

City Clerk Mary Morris announced that early voting would continue from 9:00 a.m. to 5:00 p.m. at the City Clerk's office for the next three days, ending Thursday, March 16. State law requires early voters to show a government-issued photo ID such as a driver's license, state ID or passport. No reason is required to vote early.

Beginning Friday, March 17, from 9:00 a.m. to 5:00 p.m., Saturday, March 18, from 9:00 a.m. to noon and Monday, March 20, from 9:00 a.m. to 5:00 p.m., people may vote in-person absentee at the City Clerk's office. No ID is required, but a reason must be given such as out of Cook County or the country on Election Day March 21, serving as an election judge out of one's precinct, physically disabled, or attending college out of Cook County.

SPECIAL ORDER OF BUSINESS

* Resolution 15-R-06 – Thanks the Donor for Contribution to Create a K-9 Unit – Consideration of Resolution 15-R-06, which thanks the anonymous donor of \$60,000 for the purpose of establishing a K-9 Unit for the Evanston Police Department. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 17-R-06 – Thanks Northwestern University for a Contribution to Help Create a K-9 Unit – Consideration of Resolution 17-R-06, which thanks Northwestern University and authorizes the City Manager to accept the contribution to help create a K-9 Unit for the Evanston Police Department. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 18-R-06 – Thanks Richard Fisher and The Autobarn for a Contribution to Help Create a K-9 Unit – Consideration of Resolution 18-R-06, which thanks Richard Fisher and The Autobarn for the loan of a motor vehicle, on an annual basis, to the City of Evanston for use by the Police K-9 Unit and authorize the City Manager to accept the contribution. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

Alderman Moran moved approval of resolutions 15-R-06, 17-R-06 and 18-R-06. Seconded by Alderman Rainey.

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

Deputy Chief Dennis Nilsson, flanked by Deputy Chiefs Joe Bellino and Demetrious Cook, spoke on behalf of Chief Kaminski and the Evanston Police Department, thanking all for sharing as they celebrate a new addition to the department, a K9 unit, made possible through the generous donation of an anonymous donor and the coordination of Alderman Rainey. He expressed the department's deepest appreciation to the donor for the care and concern for the department's men and women. They are indebted to this special person. In addition, special thanks to Alderman Rainey and the City Council for its support. In the early 1990s, the department had a K9 unit, which was discontinued due to budget issues. A K9 unit provides an additional dimension to the Police Department and will assist police in narcotics, building searches, tracking offenders and other patrol duties. During the past 12 years, the department has relied on other agencies for a K9 unit. Now, due to the generosity of the anonymous donor and others, the Police Department will once again have its own K9 unit, be more efficient and hopefully repay other communities for the selfless K9 assistance they have provided to the Evanston Police Department. Mayor Morton and Chief Frank Kaminski received the donations.

Dr. Carla Knorowski presented a check for \$60,000 on behalf of the anonymous donor. It is to be used to acquire a "sniff and search" police dog, crossed trained in narcotics, to assist the department in its work. The donor hopes that a dog account will be established within the Police Department budget and that Council will not reduce the budget by the check's amount. The donation is intended to cover purchase of the dog, handler training, veterinary bills, a vest and other necessities. Hopefully, at the end of the dog's useful life, the dog account will contain funds for its replacement. The donor has thought for some years that a city the size of Evanston should have this valuable tool in its arsenal. If it is possible to obtain a dog that answers to the name "Jack" or can be trained to do so, it would be in recognition of former Alderman Jack Korshak and acknowledge in some small way his service to the City and the esteem in which he was held by many. On behalf of the donor, she thanked Assistant Corporation Counsel Ellen Szymanski for her help and guidance on the project and for protecting the anonymity of the donor. It is the donor's hope that this gift will encourage other individuals and organizations to contribute so that it will be implemented successfully and maintained in perpetuity.

Richard Fisher, Autobarn dealership of Evanston, presented keys to a 2006 Mazda MPV with sliding doors so the dog can get in and out easily and said this is a great cause.

Northwestern University Police Chief Bruce Lewis presented a gift of \$25,000 from Northwestern University in support of the K9 program and in furtherance of the partnership among the university, community and City. The university has benefited so much from the partnership with the Police Department, the Burglary Task Force and the Robbery Task Force. With the addition of this canine, they will enhance their relationship and partnership for the community's safety.

Dave and Remie Gulyas, owners of The Hungry Pup, 941 Chicago Ave., will provide food for the life of the police dog and its replacement. They presented a large basket of food and treats.

Dr. Julia Weertman, from Illinois Vest-a-Dog, said her organization would provide a vest for the dog. They have provided vests for the entire Chicago Police Department's K9 unit. She said there is a great bond between the handler and the dog. The vest helps keep the dog safe. As soon as Evanston gets the dog, they will provide a vest.

Ann Diener, Evanston resident, said this is a great project and was glad the donor started the ball rolling because the Police Department has needed a K9 unit for a long time. She wrote a check to the Evanston Police Department Dog Fund.

Mayor Morton thanked all who donated; said the anonymous donor had blessed them, pointed up a need and gave some money to fulfill the need. The City appreciated the gift. She thanked The Hungry Pup for supplying food because the dog will be big and eat a lot. Because of their donation, food would not be an expense for the City. She thanked Illinois Vest-a-Dog for their sensitivity to keep the dog safe. She thanked Richard Fisher of Autobarn for providing a vehicle that will help with finances and thanked Ann Diener, a lifelong resident, for her gift, noted that Ms. Diener is always interested in what is going on with City government. Spoke of the many contributions Northwestern University has made to non-profit organizations in Evanston and thanked NU for the \$25,000 donation with no strings and for their good spirit.

Mr. Nilsson introduced Northwestern University Deputy Chief Dan McAleer. A group picture was taken of the donors. On behalf of the Evanston Police Department he thanked them for caring so much.

CITIZEN COMMENT:

Tad Cook, 1519 Hinman Ave., representing Waterford East condominium, said it was disconcerting for owners to witness the Planning & Development Committee's vote to reduce the interior side setback for the new Georgian from 15 feet to 10 feet. He asked that the following be considered: Waterford owners are the only individual property owners who are immediately adjacent to the proposed Mather LifeWays project. Currently, the closest distance window-to-window is 31 feet. He said that Waterford owners and Mather LifeWays CEO Mary Leary spent many months negotiating a 15-foot setback, which is what zoning allows under a planned development. With this separation the closest windows would be about 20 feet. The latest action by the P&D Committee makes the closest window-to-window distance about 15-feet, half the current distance. The reason given for reducing the side setback from 15 feet to 10 feet is the canyonization of Davis St. They don't know the criteria used to determine the proper distance between the buildings to avoid canyonization. Why must the new Georgian façade be 3½ feet closer or further from Davis St. and the building be 3½ feet closer to the Waterford East? As owners, they request that Council give Waterford East 3½ feet back and put the façade of the new Georgian in the same place as the old Georgian. The distance between the two building façades on Davis would hardly be noticed while the distance between their buildings affects privacy and property values of owners in both buildings.

Donald Hey, 1635 Hinman Ave., made a Freedom of Information Act request to the City on March 9 and as of today only two small pieces of information were received. He stated little financial information has been provided in the deliberation on the Mather project and asked Council to look at his request and ensure the City delivers the information he requested.

Michael King, 2749 Woodbine Ave., 29 year resident, thanked all who were behind the setback on the Mather and for the wonderful work they have done. It is not easy work and takes a lot of time. He applauded the Mather for persisting over the past two years, putting up with logic defying delays and for building a state-of-the-art facility. This represents a \$150 million investment in Evanston and 84 new jobs and will improve the appearance of the downtown with underground parking. Last but not least, Mather will pay \$1 million in annual property taxes. He thought they have gone too long deliberating this issue and urged Council to approve 5-O-06, the Mather LifeWays project.

Mary B. McWilliams, 1606 Wesley Ave., 30-year resident, stated that the process of legally notifying residents about proposed developments is inadequate. Legally, residents within 500 or 1,000 feet, depending on the project, are notified at the time the project goes before the Plan Commission or other City entity. That is the only notification that residents receive. By that time the developer has been through a lengthy City review process with the building, planning and Site Plan & Appearance Review Committee and spent considerable resources. At that point, they are reluctant to change their plans. It would be much better to have an earlier notice so residents can have input before designs are set firmly and before the developer has spent a great deal of money and time spent by the City. This is not asking that residents help design projects, but that residents concerns about the impact of new development can have on their neighborhood are considered by the developer and have the time to be considered. She asked if it is possible to amend the ordinance so that legal notification can come earlier in the process.

Frances Seidman, 600-E South Blvd., has attended Plan Commission meetings for a long time and is convinced that almost all who appear before are motivated by self-interest. For this reason, it is extremely important that Plan Commission members look at the impact of their decisions on Evanston residents. She is an enthusiastic supporter of affordable housing development here. A proposal for Darrow Corners, a 27-unit attractive building of affordable rentals will be built on a vacant lot next to an abandoned gas station (a site that will require considerable environmental cleanup, which the developer is willing to do) will be built by the Housing Opportunity Development Corporation (HODC) in cooperation with a prestigious Evanston group. These units are affordable to working persons at a lower income level and tenants will be screened carefully to ensure desirable community members. It will be monitored closely by HODC under the leadership of Richard Koenig. The complicated financing has been used successfully in several projects around the country. Many community people support this plan, but several others have been vociferously critical, implying that the development would represent an undue cluster of poverty that would lead to crime and other deleterious effects on the surrounding community. There were references to this as “a 27-unit urban ghetto” and “totally incompatible” with planning for the area. She disagreed. The Plan Commission voted not to recommend this project. She requested that before this comes to Council, they drive by Church/Darrow and the surrounding area, look at this property and decide whether this project would be good for that neighborhood; consider some of the motivations of those who oppose this.

Jeremy Males, 1106 Elmwood Ave., got a ticket for parking in a handicapped parking space; showed the size of the sign -2 x 2 inches. In the City newsletter it shows one kind of sign, but not the one that he got a ticket on. He said there are many signs like this around. There is no tag that this is a large fine. When the sign is put up there probably is a rash of tickets written until people get used to it. He felt if there was a sign that was easier to see, there would not be as many tickets written and areas would be more accessible to people who want to park. His reference was to the “W” signs.

Alderman Wynne, Parking Committee Chair, said they will address the issue raised by Mr. Males at the next meeting.

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: bid from Bolder Contractors for the 2006 water main improvement Contract A; Ordinance 44-O-06 – add Class B liquor license for Kansaku Restaurant, 1514 Sherman Ave.; Ordinance 5-O-06 – Planned Development – Mather LifeWays; Ordinance 38-O-06 – Planned Development – Church Street Village LLC; Ordinance 32-O-06 – Adopt *2003 International Energy Conservation Code*; Ordinance 139-O-05 – Add Chapter 22, in Title 4 of City Code – “Affordable Housing Demolition Tax” and the 2006-07 Cultural Fund Grant Program Awards. Seconded by Alderman Tisdahl. Roll call. Voting aye – Holmes, Moran, Tisdahl, Rainey, Hansen, Jean-Baptiste, Wynne, Bernstein. Voting nay – none. Motion carried (8-0).

ITEMS APPROVED ON CONSENT AGENDA

MINUTES:

* Approval of Minutes of the Special City Council Meeting of February 22, 2006 and the Regular City Council Meeting of February 27, 2006. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

ADMINISTRATION & PUBLIC WORKS:

* Approval, as recommended, of City of Evanston payroll for the period through March 9, 2006 and City of Evanston bills for the period ending March 16, 2006, authorized and charged to the proper accounts:

City of Evanston payroll (through 03/09/06)	\$2,128,150.05
City of Evanston bills (through 03/16/06)	\$4,037,314.86

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

* Approval of 2006 Special Events Calendar. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Approval of contract amendment for Executive Partners (14 Hidden Brook Dr, Barrington) in the amount of \$6,825 for the Strategic Planning Project. Funding provided by the City Manager's FY 2005-06 budget. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of the purchase of a new audio/video system from United Visual (1050 Spring Lake Dr., Itasca) for the Main Public Library in the City of Evanston at a cost of \$26,419.20. Funding provided by the Evanston Community Foundation, Library Book Sale and Library operating account. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of the purchase of a special service police vehicle, using the Northwest Municipal Conference bid, from Currie Motors (9423 W Lincoln Hwy, Frankfort, IL) for the Evanston Police Department at a cost of \$28,207. Funding provided by Fleet Services Capital Fund. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of the purchase of eight police sedan vehicles, using the State of Illinois bid, from Landmark Ford, Inc. (2400 Prairie Crossing Dr, Springfield) for the Evanston Police Department at a cost of \$178,692. Funding provided by Fleet Services Capital Fund. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of the purchase of a 2006 Ford F250 pickup truck, using the State of Illinois bid, from Dennison Corporation (1508 Morrissey Dr, Bloomington, IL) for the Parks/Forestry & Recreation Department at a cost of \$18,488. Funding provided by Fleet Services Capital Fund. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Approval of the purchase of a 2006 Ford E250 cargo van, using the State of Illinois bid, from Dennison Corporation (1508 Morrissey Dr, Bloomington, IL) for Evanston's Facilities Management Department at a cost of \$17,888. Funding provided by Fleet Services Capital Fund. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of the lowest responsive and responsible bid from Pederson Construction Inc. (935 Holmes Ave, Deerfield) in the amount of \$263,430 for the Eiden Park Renovations Project. Funding provided by CIP. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of the lowest responsive and responsible bid from R&W Clark Construction (1948 97th Ave, Mokena, IL) in the amount of \$196,000 for the Monroe Tot Lot and Sargent Park Renovations Project. Funding provided by CIP. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of Change Order #8 for the Sherman Plaza Garage to W.E. O'Neil for \$119,808, increasing the contract from \$40,534,333 to \$40,654,141. Funding provided by the Washington National TIF. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of Change Order #1 for the HVAC Systems for the Service Center to Central Lakes Construction Company (749 Pinecrest Dr, Prospect Heights, IL) for \$16,350, increasing the contract from \$795,878 to \$812,228. Funding provided by CIP. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Ordinance 42-O-06 – Amend Title 10 City Code to Establish a Four-Way Stop at Clinton Pl and Orrington Ave – Consideration of proposed Ordinance 42-O-06, which amends Section 10-11-5, Schedule V(D) of the City Code to establish a four-way stop at Clinton Pl. and Orrington Ave. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 41-O-06 – Amend Title 10 City Code to Establish a Loading Zone at 1815 Brown Ave – Consideration of proposed Ordinance 41-O-06, which amends Section 10-11-7, Schedule VII(B) of the City Code to establish a Loading Zone at 1815 Brown Ave. for the disabled. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 43-O-06 – Amend City Code to Increase the Number of Class C Liquor Licenses – Consideration of proposed Ordinance 43-O-06, which amends Section 3-5-6(C) of the City Code to increase the number of Class C liquor licenses from 21 to 22 due to the addition of Trattoria D.O.C.,

dba Trattoria D.O.C., 706 Main St. * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 28-O-06 – Special Assessment No. 1480 – Alley Paving – Consideration of proposed Ordinance 28-O-06, introduced February 27, 2006, by which City Council would the paving of the alley north of the CTA tracks, east of Wesley Ave. and south of Mulford St. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 29-O-06 – Special Assessment No. 1482 – Alley Paving - Consideration of proposed Ordinance 29-O-06, introduced February 27, 2006, by which City Council would authorize the paving of the alley north of Foster St. and east of Sherman Ave. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 30-O-06 – Special Assessment No. 1483 – Alley Paving – Consideration of proposed Ordinance 30-O-06, introduced February 27, 2006, by which City Council would the paving of the alley north of Cleveland St. and east of Pitner Ave. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

* Ordinance 21-O-06 – Increases Recycling Collection Service Charge – Consideration of proposed Ordinance 21-O-06, introduced February 27, 2006, which amends Section 8-5-13 of the City Code to increase the recycling collection service charge from \$2.86 to \$3.72 per unit per month. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

PLANNING & DEVELOPMENT:

* Ordinance 45-O-06 – Special Use for Religious Institution at 303 Dodge Ave. – Consideration of the ZBA recommendation to approve a Special Use for a new three-story religious institution and private school for the Jewish Reconstructionist Congregation (JRC). * MARKED INTRODUCED – CONSENT AGENDA

* Ordinance 36-O-06 – Special Use for a Type 2 Restaurant – D.D. Dogs, 1625 Chicago Ave. – Consideration of a recommendation from the ZBA, introduced February 27, 2006, to approve a Special Use for a Type 2 restaurant, D.D. Dogs, 1625 Chicago Ave. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

HUMAN SERVICES COMMITTEE

* Approval of February 2006 Township Monthly Bills – Consideration of a recommendation to approve the Township bills, payroll and medical payments for the month of February 2006 in the amount of \$78,507.72. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

APPOINTMENTS

Mayor Morton asked that the following reappointment be introduced:

Joan Hickman
1614A Main St.

Commission on Aging

* INTRODUCED – CONSENT AGENDA

Mayor Morton asked that the following appointment be confirmed:

Donald N. Wilson
1425 Main St.

Zoning Board of Appeals

For term ending March 30, 2011

* APPROVED – CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES

ADMINISTRATION & PUBLIC WORKS:

Alderman Jean-Baptiste reported that the lowest responsive and responsible bid from Bolder Contractors (440 Lake Cook Rd, Deerfield) in the amount of \$3,866,850 for the 2006 water main improvement Contract A (funding provided by CIP, Sewer & Water funds) was held in committee.

Ordinance 44-O-06 – Amend City Code to Increase the Number of Class B Liquor Licenses –
Consideration of proposed Ordinance 44-O-06, which amends Section 3-5-6(B) of the City Code to increase the number of Class B liquor licenses from 13 to 14 due to the addition of YJK Corp., dba Kansaku Restaurant, 1514 Sherman Ave.

Alderman Jean-Baptiste asked that this item be marked introduced.

PLANNING & DEVELOPMENT:

Ordinance 5-O-06 – Planned Development – Mather LifeWays, 1615 Hinman Ave/422 Davis St –
Consideration of proposed Ordinance 5-O-06, introduced February 13, 2006, with a Plan Commission recommendation to approve a planned development for Mather LifeWays, to construct in two phases, 245 independent-living residences, plus 24 assisted-living and 40 long-term care residences, with underground parking for 249 vehicles.

Alderman Rainey moved approval of Ordinance 5-O-06. Seconded by Alderman Wynne.

City Manager Julia Carroll announced that Alderman Wollin was out of state and had requested that she be called so that she could cast her vote. Assistant Corporation Counsel Ellen Szymanski asked Ms. Wollin to identify herself for the record. Cheryl Wollin, 1st Ward said she was attending the Congress of Cities meeting in Washington, D.C. and could hear Ms. Szymanski. The rest of Council could hear Alderman Wollin.

Alderman Wynne moved the following amendment on page 17 of the ordinance, paragraph (h), fourth line: Subject Property and shall implement a construction (add) “and demolition” management plan for the Subject Property which shall be on file with the Building Division of the Community, (add) “Development” Department, and which shall address, (add) “demolition,” construction staging, hours of construction, and contractor parking. She suggested that a quarterly newsletter be sent to residents who don’t have email. Line 16, Affected neighbors shall be consulted in development of the Plan through meeting(s) with the Applicant (add) “and City staff.”

Mr. Reifman, attorney for the Mather Foundation, had some changes to paragraph (h). Mr. Reifman said Mather had concerns about demolition and the plan. The first was a pre-construction site survey that speaks of 250 feet. Under the law, they are required to give notice to the adjoining property owners and are willing to identify other affected property owners within that 250 foot area along with the Community Development Department. The second issue was that they were to seek input and community involvement on the demolition plan from owners within 1,000 feet, which was onerous and they don’t understand exactly what that means. They were willing to seek input from property owners within 250 feet in a process run by the Community Development Department. He did not object to the language changes suggested by Alderman Wynne and had no objection to a quarterly newsletter going to people living within 1,000 feet. Alderman Wynne wished to hear from staff on what an “affected neighbor” is, due to the fact that this is a massive project. A typical Evanston block is 600 feet, so this is notifying people who live within a block and a half of the project. People living further away would be affected as well. Mr. Reifman there was no problem with notification; said the language reads: Affected neighbors (within 1,000 feet) shall be consulted in development of the Plan through meeting(s) with the applicant. This was not clear. He said it was highly unusual for a complicated demolition to have that level of

burden on the owner. They are working with professional construction managers. The burden was too costly. He wanted the geographic area of the plan to be narrowed. Alderman Rainey suggested they entrust the Community Development Department to work with the contractor to determine who the affected neighbors are. She thought staff would represent citizens well. Mr. Reifman said the issue on the pre-construction survey is protection for the owner in terms of its liability to others in context of a construction project. State law requires abutting properties and on this one he did not think that could extend beyond 250 feet. They can work with the Community Development Department and 250 feet is sufficient. A pre-construction survey is costly to implement and cannot be arbitrary. That was acceptable to Alderman Wynne who wanted a newsletter to go to residents within 1,000 feet, which was acceptable to Mr. Reifman.

Ms. Szymanski asked for changes. Affected neighbors shall be consulted in development of the Plan through Meeting(s) with the applicant and City staff. For purposes of this Section 10(h), "affected neighbors" shall mean owners or tenants of property located within two hundred fifty feet (250') of the Subject Property. Mr. Reifman said currently the ordinance reads: The applicant shall conduct a pre-construction site survey of properties within two hundred fifty feet (250') of the subject property. He asked that it be changed to read: The applicant shall conduct a pre-construction site survey of all properties that abut or are adjacent to Subject Property as well as other properties identified by the applicant in consultation with the Community Development Department within two hundred fifty feet (250') of the subject property. The second sentence: The applicant shall seek input from and share information with City staff and from owners of properties within two hundred fifty feet (250') of the subject property, versus the definition of affected property in the plan. There is no objection to giving notice to residents within one thousand feet (1,000'). Ms. Szymanski asked for clarification. Tenants were to be given notice. Was that out? "Tenants" would remain in the sentence. Alderman Moran moved approval. Motion carried. No nays.

Alderman Wynne moved a change to Section 16 on page 19. Applicant is required to record, at its cost, and provide the City with a certified copy of this Ordinance, the Development Plan, and the covenant required by Section 10(b), (add) "and 10(c)" of this ordinance in the Cook County Recorder's Office prior to obtaining any City permits. Seconded by Alderman Rainey. Motion carried. No nays.

Alderman Wynne moved a change to page 14, continued paragraph: The applicant's obligation to pay real estate taxes for the (add) "Southeast parcel and "Southwest Parcel shall commence upon completion of southwest parcel improvements. Seconded by Alderman Moran. Motion carried. No nays.

Ms. Szymanski made two corrections on page 14. The obligation to pay taxes is based on the then-current assessment rate applicable to (delete) "charitable" life care facilities located in Cook County. In the event a change in current law has the effect of exempting the applicant from the payment of real estate taxes on the basis of a not-for-profit (retain) "charitable"...

Alderman Rainey moved the following changes to page 15 (ii) In the event of any such determination (delete) "and prior" (90) days prior to taking any action to change or modify said obligation, the applicant shall (delete) "promptly" notify the City, and shall provide reasonable explanatory information regarding any such determination. The applicant shall meet with the City Council or its designated representatives regarding such determination and propose options to attempt to establish alternative financial assistance structure in connection with the foregoing. Mr. Reifman had one objection, the requirement of a 90-day period of notice. The applicant proposes using all reasonable efforts to provide notice of 90 days in advance. In the event there is a dramatic or materially adverse change in those conditions, then the applicant has to have the ability to act in accordance with its fiduciary duties to the organization. The concern is to be sure that Mather is acting reasonably and conferring with City Council on issues that could change. They believe this is a remote chance of happening but Mather must have the flexibility to use reasonable efforts to do this within 90 days. All other options were acceptable. Alderman Tisdahl supported language that said the applicant would make a reasonable effort to meet with the City, but if they needed to act to keep the Mather alive, the applicant should be able to do that. Alderman Rainey said Mather would know if it was going down the tubes with buildings full of people who would need to know that. She suggested that, in the event of any such determination, (add) "every effort will be made"(90) days prior to taking any action...Alderman Rainey said extraordinary exceptions have been made for this organization and the City has the right to know. Motion carried. No nays.

Alderman Rainey moved the following changes to page 16, under (iii): The Financial Assistance Program shall include

financial subsidies to (delete) “to current or future Evanston residents” and (add) “to current Evanston residents, former Evanston residents, and/or persons who do not reside in Evanston but whose children are current Evanston residents and shall include, among other things” (e) payments to other providers for medical, dental and necessary additional services – “necessary” was taken out. Alderman Rainey said these are provisions provided to Evanstonians by the Mather. She wanted to restore “necessary.” Mr. Reifman said there were two versions of this paragraph and there was no problem with “necessary” and the other change was acceptable as well. Seconded by Alderman Wynne. Motion carried. No nays.

Alderman Hansen moved to amend the following sentence in Section 11, page 18. The City and the applicant (delete) “intend to” and (substitute) “shall” enter into one or more easements governing the Applicant’s use and operation of the Right-of-Way improvements located under City-owned property. (Add) “The applicant shall pay a \$125,000 fee annually that will go into the Mayor’s Affordable Housing Fund. “Mr. Reifman confirmed that was agreed to. Seconded by Alderman Wynne. Motion carried. No nays.

Ms. Szymanski suggested a change in Section 12, page 18: If a (delete) “perfected” (substitute) “completed” application for a building permit is not filed with the City within: ...Mr. Reifman asked for this change. Alderman Tisdahl moved approval. Seconded by Alderman Moran. Motion carried. No nays.

In response to Alderman Wynne, Ms. Szymanski stated the easement agreement is enacted by Council in a separate ordinance and would be recorded.

Roll call. Voting aye – Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin, Jean-Baptiste, Wynne, Bernstein. Voting nay – none. Motion carried (9-0).

Ordinance 38-O-06 – Planned Development - Church Street Village LLC, 1613 Church St. – Consideration of a recommendation from the Plan Commission to approve a planned development for Church Street Village LLC for map amendment and a planned development. The map amendment includes a change from I2 General Industrial District, to R5 General Residential District. The planned development includes 41 single-family attached dwelling units, approximately 84 off-street parking spaces and setbacks.

Alderman Rainey reported that this item was held in committee.

Ordinance 32-O-06 – Amend City Code to Create Chapter 23 in Title 4 “Energy Code” and Adopt the 2003 International Energy Conservation Code – Consideration of the staff recommendation, introduced February 27, 2006, to create a new Chapter 23 in Title 4 “Energy Code” and to adopt the 2003 International Energy Conservation Code by reference.

Alderman Rainey reported that this item was held in committee.

Ordinance 139-O-05 – Amends the Affordable Housing Demolition Tax Ordinance – Consideration of substitute Ordinance 139-O-05, introduced December 12, 2005, which would add Chapter 22 in Title 4 of the City Code, “Affordable Housing Demolition Tax Ordinance” and repeal Ordinance 117-O-05.

Alderman Rainey reported that this item was held in committee.

Alderman Rainey announced a Special Planning & Development Committee meeting on Monday, March 20 at 5:30 p.m. to consider the planned development at 1613 Church St.

HUMAN SERVICES COMMITTEE

Alderman Bernstein moved approval of the proposed 2006-07 Cultural Fund Grant Program Awards in the amount of \$46,100. Funding is provided by the Cultural Arts Division, the 2006-07 division budget and the Illinois Arts Council. Seconded by Alderman Moran.

Alderman Jean-Baptiste recused himself from voting on the program award funding related to Thick Roots, a multi-media organization as his daughter is a founder of that program.

Roll call. Voting aye – Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin, Jean-Baptiste, Wynne, Bernstein. Voting nay – none. Motion carried (9-0).

CALL OF THE WARDS:

5th Ward. Alderman Holmes invited Council to the regular 5th Ward town meeting on Thursday, March 16. City staff will share the vision and planning for the West Side.

6th Ward. Alderman Moran was delighted that Mather's application was approved. He thanked them for being steadfast, a great contributor to many aspects of life here. He was glad that they chose to stay in Evanston and bring forward a wonderful project that will fulfill many needs.

7th Ward. Alderman Tisdahl announced a 7th Ward meeting at the Ecology Center on Wednesday, March 29, at 7:00 p.m. One topic will be the redevelopment of the movie theaters on Central St. Developers Jack Crocker and Robert Horn will make a presentation.

8th Ward. Alderman Rainey thanked Council for the work done on the Mather project; had never seen them work more cooperatively. She recalled when they began deliberating, the vote was 5-4 on the Mather. She knew eventually the vote would be 9-0 and there probably is not a line they don't know in the ordinance. She praised Ellen Szymanski for her work on this project. She thanked the dog donor and all the assistant dog donors for everything they have done.

She reported on the SWANCC meeting at the Levy Center regarding odors from the compost pile. Alderman Hansen is doing a great job and in 30 days, SWANCC has promised to assess the odors from the compost pile and will give expert direction on how to handle that.

9th Ward. Alderman Hansen invited all to a 9th Ward town hall meeting on March 23 at 7:00 p.m. at the Levy Center. Diane Williams of Evmark and Assistant City Manager Judith Aiello will discuss downtown Evanston. She encouraged people to attend the police academy, noting the numbers attending have gone down.

1st Ward. No report.

2nd Ward. Alderman Jean-Baptiste thanked Council for the collaborative approach; said it was not easy to get them to unanimity. They grow stronger when they engage each other. He praised Judith Aiello for updating him on major citywide projects and said many on the periphery are not engaged. When information is brought to neighborhood groups, it is appreciated.

3rd Ward. Alderman Wynne thanked the donor for the police dog; thanked 3rd Ward businesses, Richard Fisher's Autobarn and The Hungry Pup. She noted that lifelong resident Ann Dienner sends her clippings on relevant issues and is a community member, always looking for ways to be involved. She also thanked Northwestern University. She has a nine year-old-daughter who would like a police pony that they could stable in their garage.

4th Ward. No report.

City Manager Julia Carroll pointed out that the unmarked packet contained materials for the Special City Council meeting on the Strategic Plan set for Saturday at 8:30 a.m. at the Levy Center.

At 10:48 p.m., Alderman Bernstein moved that Council convene into Closed Session for the purpose of discussing matters related to personnel and closed session minutes pursuant to 5 Illinois Compiled Statutes 1202 (c) (1) and (21). Seconded by Alderman Jean-Baptiste.

2. All meetings of public bodies shall be public meetings except for the following:

- (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity.
- (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 – Holmes, Moran, Tisdahl, Rainey, Hansen, Jean-Baptiste, Wynne, Bernstein. Voting nay – none.
Motion carried (8-0).

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 10:52 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.