

**CITY COUNCIL**

April 11, 2006

**ROLL CALL - PRESENT:**

Alderman Tisdahl  
Alderman Rainey  
Alderman Hansen  
Alderman Wollin

Alderman Jean-Baptiste  
Alderman Bernstein  
Alderman Holmes  
Alderman Moran

A Quorum was present.

**ABSENT:**

Alderman Wynne

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Tuesday, April 11, 2006, at 10:10 p.m. in the Council Chamber following the annual Town meeting.

**ANNOUNCEMENTS:**

City Manager Julia Carroll announced that April 9-15 was National Public Safety Telecommunicators Week; expressed appreciation for the job that telecommunicators do daily in connecting lives in emergency situations.

Parks/Forestry & Recreation Director Doug Gaynor announced that beach tokens are for sale at the Civic Center and Recreation Centers at the \$20 pre-season rate through Friday, June 9. Financial assistance is available to qualified Evanston residents. Evanston's beaches open Saturday, June 10, when tokens will cost \$27. He announced the City and the Skokie Park District have a reciprocal agreement that allows Skokie residents to buy Evanston beach tokens at the resident rate and Evanston residents to buy a Skokie Cool Pool Family pass at the resident rate. The Cool Family passes are sold at a discount through June 11. Evanston residents will pay a non-resident charge after that date for a daily fee. Cool family passes are valid at the Skokie Water Playground and the Devonshire Aquatics Center. Details are in *Arts & Recreation* magazine.

Mayor Morton reminded families with youth between 14 and 18 years of age that the Mayor's Summer Youth Employment Program will hold its Job Fair on Saturday, April 22, from 8:00 a.m. to 3:00 p.m. She asked businesses that will be at the fair to get their information in to the Human Relations Department.

Mayor Morton announced last week, the second \$350,000 payment from Northwestern University was received by the City due to the purchase of 1800 Sherman Avenue property which went off the tax rolls.

Mayor Morton announced receipt of a letter from a national organization that honors people who work in the 9-1-1 centers throughout the nation and congratulated Evanston's telecommunicators for their work.

**CITIZEN COMMENT:**

Judy Fiske, 2319 Sherman Ave., recalled that Council voted to adopt the Consent Decree to settle a lawsuit Northwestern University filed against the City over the Northeast Evanston Historic District in February 2004. As part of the decree, the NU/City Committee was established to provide a forum whereby neighborhood residents could learn about NU's development plans in the T1 and T2 zoning districts. The neighborhood strongly opposed the decree but took solace from the fact that Bob Atkins and Dave Schoenfeld, both lawyers and board members of Northwestern Neighbors, would represent neighbors' interests. Their appointment was based upon their knowledge and commitment to the neighborhood. For the past two years, neighborhood interest in these issues has not waned and neighbors are still suspicious of NU's development plans. Residents have attended every committee meeting at which the consent decree and NU/City Committee were discussed. Neighbors attended the March 5 Rules Committee meeting where restructuring of the NU/City Committee was discussed. Because the change required NU and the Court's approval, it was uncertain when this would come back to the Rules Committee. It was a surprise that this was discussed at the April 3 Rules Committee

meeting. Neighbors would have attended had they known. On April 3 no neighbors were there to learn that NU had rejected the proposal to increase the number of representatives or to learn that either Mr. Atkins or Mr. Schoenfeld would be replaced by someone of Alderman Wollin's choosing and that term limits would be discussed. No one knew until Mr. Atkins and Mr. Schoenfeld received an email from Alderman Wollin saying that one of them had to go. Ms. Fiske stated this was not the promise to the neighborhood when the consent decree was passed. If the NU/City committee is allowed to represent political interests instead of the neighborhood's, it will cease to function as intended. She said it was no secret that NU is reluctant to schedule meetings and disclose information as required by the Court. Last week NU purchased a single-family house at 1945 Orrington Ave. in the T1 district, yet the university did not disclose this purchase at the March 20 NU/City meeting. A neighbor discovered the purchase by chance. NU purchased that house for \$600,000, \$100,000 over appraised value, without the house ever going on the market. It appears the house will be used for faculty housing for five years, then torn down. A historic house on Sheridan Rd. will be moved to this site to facilitate development on Sheridan Rd. If true, this purchase and plans ought to have been disclosed. The university's continued acquisition of property west of Sheridan Rd. has had a devastating impact. Over the years NU has torn down dozens of houses and removed property from the tax rolls. Residents pay for the loss of revenue every day. This neighborhood is on the front lines and wants to survive. She urged Council not to replace Mr. Atkins or Mr. Schoenfeld before they get input from residents in the historic district and to place the neighborhood above political expediency.

Joan Safford, 1618 Wesley Ave., spoke about the 40-unit planned development at 1613 Church St. She had presented a redlined form on changes to the ordinance to the P&D Committee. The City's response was to make changes of what appeared to be typographical errors regarding dates. She noted that this is the first development in the new TIF and it is important that the first ordinance going into this neighborhood be accurate. In this case, they don't believe the ordinance is accurate. One way it is inaccurate is in the configurations of the buildings. They are pleased with R4 zoning. The important thing is the building facing Church St. is 20-22 feet back from the curb and not the 5-6 feet that represents only a corner of building number two. This matters to them because the purpose of this planning process was to have an ordinance that reflects the concerns of the neighbors, which is the setback. It asked for 20-22 feet for the principal building fronting along Church St. The one that goes along the berm closer to Church St. is of lesser concern and has a side yard. She thought that it was important that ordinances report what happened historically and, in this case, the Plan Commission voted 7-0 and sent that to the P&D Committee. Before the committee considered the recommendation, they were presented with an amended plan that had a new configuration of the buildings and was more satisfactory to the neighborhood. The committee never accepted the original recommendation of the Plan Commission. This is important because wording in the ordinance implies that the committee accepted the Plan Commission recommendation, but there was no vote to do so.

Don Zeigler, 1430 Elmwood Ave., commended the Human Services Committee for bringing forth a proposed revision to the City's current smoking ordinance that would call for Evanston to go smoke-free by July 1, 2006. At the Community Health Advisory Board meeting yesterday, the vision and mission of the City was mentioned. Having this go forward with a unanimous vote would be consistent with having a vision of the most livable City in America and promoting the highest quality of life. He urged Council to move forward without compromise.

Meg McClaskey, 1211 Dodge Ave., thanked the Human Services Committee for bringing the Clean Air Ordinance to Council and asked for a unanimous vote. She is a clinical medical ethicist and looks at issues. There is plenty of scientific evidence about the dangers of second-hand smoke and solid evidence that going smoke-free does not do significant economic damage. They know the sooner they do this, the sooner they will begin to save lives. She encouraged Council to question what they are doing when they put economics ahead of saving lives. She encouraged them to move forward.

Catherine Counard, 217 Kedzie St., also commended the Human Services Committee for its bold action in recommending that second-hand smoke be eliminated from all workplaces including restaurants and bars, which were exempted in 2004. As a physician, she has dealt with the consequences of second-hand smoke. She urged Council to embrace the recommendation from the Human Services Committee to protect all Evanston workers.

Gordon Zerkel, 1211 Dodge Ave., said they have heard a lot of talk from many special interests in the two years since the smoking ordinance was passed. It appeared to him that Council has a responsibility for the general welfare of Evanston people and trusted they would act on behalf of all of them.

Liz Beckman, 2127 Forestview Rd., architect, reported her home, which is three feet from the property line, is flanked by

teardowns on either side. Her house was built in 1928. Excavations are happening simultaneously. She was keenly aware of what zoning allows in Evanston as are her neighbors. She attended an informational public meeting for the development of the home to the north of hers but did not have the opportunity for input. The Zoning Ordinance has no teeth. This home being built is close to 48 feet high. She found it hard to believe that a single-family home can reach four stories and still comply with the Zoning Ordinance. In part, she thought it was due to basement excavations being limited to five feet of depth from grade unless there is a soil engineer's report and soil retention design to maintain the integrity of the excavation. She thought they would see more of this. The developer chose not to dig deeper than five feet and not to pay the expense of a soil engineer to push the house out of the ground. In this neighborhood, where porches range from 3' to 4' high, this property will have a porch 5'9" above the sidewalk. She walks in her neighborhood daily and has seen no homes with that feature. Her view will be of the basement windows around Payne/Forestview. The third floor has ceiling heights of 10 feet. Overall it fits, but does it fit? She wished the same kind of concessions could be made as with the Mather. She was concerned about neighbor involvement and understood there was a 20% rule proposed which was defeated. That would have allowed for incremental growth of an average of adjacent properties so that neighborhoods would grow gradually. She thought that was a good idea. She said this is personal and she found that no one has had to go through tear downs on both sides with that kind of impact.

Alderman Rainey said what they were told flies in the face of everything she thought she had voted on that single family homes are restricted in height. She asked for a full explanation. This circumstance brings up a requirement Council discussed on the Mather project that whenever there is new construction over a certain amount they must begin to require a pre-construction survey of adjacent properties.

Community Development Director James Wolinski said that Ms. Beckman was correct in that houses on either side of her are being torn down. The property to the north is a vacant lot now and a fairly large single family house is to be built there. He recalled the Zoning Ordinance was revised recently to deal with the McMansion issue. The height is to the median height of the roof line. The actual height of the building is 29 feet according to the Zoning Ordinance. There is a maximum of 35 feet and the Council has not wanted flat roofs which would happen if they put the fixture line at 35-feet. That is why the median measurement is involved, so they can build beyond 35 feet with a peaked, gabled, or gambrel roof, which is what they have here. The soil retention plan is required if a home will be closer than 10 feet, which is a shoring plan to make sure the foundation of the existing house doesn't fall into the hole or incur damage due to the excavation. This plan is required if the builder goes deeper than five feet. The developer has apparently decided he did not want to go to the expense of either trying to develop a shoring plan or talking to a geologic engineer who would support that this is clay; therefore a soil retention plan is not needed. The developer decided to go down only five-feet, which explained why the basement rises out of the foundation. That was put in the building code to protect neighboring properties but what was done here is the developer did not to go to the expense of a soil retention study. The developer is still restricted on height of the building. There are two or three gables on the house. Both properties have been reviewed and they comply with the Zoning Ordinance.

Alderman Moran said that Ms. Beckman's situation is the poster child for the chaos that can be visited on a property owner when huge houses are built in an inappropriate setting. He hoped that people will remember this and understand what this threatens to do to a homeowner in this circumstance. He admonished the Council to, within the year, to try and get some contextual limitations on the construction of new houses. He has a house going up next to him and now he literally looks up at the first floor. It will be a three-story house and his house is not bigger than Ms. Beckman's house. It is a monstrosity. He learned several years ago that people who don't live through this don't see it as a problem. It is a real environmental problem. Within six months the sun and trees are gone and there is just a large wall. This is continuing as more houses are up for sale. This accelerates the need to give relief to people like Ms. Beckman.

Mr. Wolinski stated an issue discussed at the Plan Commission and the P&D Committee when they were discussing the McMansion issue, was a proposal that no house on a block could be taller than 20% of existing housing stock. That measure was defeated.

City Manager Carroll asked for an update on the status of the reference made by Alderman Rainey regarding damage assessment for neighboring properties. Mr. Wolinski stated that would be before the Plan Commission in May. On neighborhood meetings, he stated that it is City policy that any new construction, even if by right, the developer must distribute flyers within the immediate neighborhood and setup a meeting with neighbors and produce a roster of who

attended before getting a building permit. These meetings are informational.

Alderman Jean-Baptiste suggested that the public meeting also should have gotten input that the developer could consider and to ascertain issues. Ms. Carroll responded that if the developer complied with City codes, they don't have authority to tell them no. She suggested the building requirements be changed to the 20% rule or that no basements shall come out of the ground more than "x feet." She found this a ridiculous example and agreed something needed to be done. With a consensus of Council, staff will move ahead on this. Staff will present examples of what should not occur and work it through the Plan Commission to make changes. Alderman Rainey said this raised something that has not happened before and that is two projects next to a single family home, which should not be allowed. Alderman Wollin asked if it was too late to do a pre-condition survey? Ms. Carroll suggested the developer be asked to do a pre-condition survey on both properties, although it cannot be forced. It is a good neighbor issue and the City should take a pro-active stance for both properties. Alderman Jean-Baptiste agreed they needed to negotiate some kind of modification and get some feedback.

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

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: Ordinances 31-O-06, 33-O-06, 34-O-06 and 35-O-06 – Special Assessments – Alley Paving; Ordinance 38-O-06 - Planned Development for 1613 Church St.; Planned Development for 1708-1710 Darrow Ave./1805 Church St.; Ordinance 27-O-06 – Inclusionary Housing; Request for \$25,000 in Mayor's Special Housing Funds for HODC's Housing Counseling Program; Ordinance 10-O-06 – Indoor Clean Air Amendments and Ordinance 56-O-06 – Setting Term Limits for the Northwestern University/City Committee. Seconded by Alderman Jean-Baptiste. Roll call. Voting aye – Tisdahl, Rainey, Hansen, Wollin, Jean-Baptiste, Bernstein, Holmes, Moran. Voting nay – none. Motion carried (8-0).

**ITEMS APPROVED ON CONSENT AGENDA**

**MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of March 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 April 6, 2006 and City of Evanston bills for the period ending April 11, 2006, authorized and charged to the proper accounts:

City of Evanston payroll (through 04/06/06)	\$2,238,875.96
City of Evanston bills (through 04/11/06)	\$3,914,417.72

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

\* Approval of a purchase from the Suburban Tree Consortium (West Central Municipal Conference, 1172 S Mannheim Rd, Ste 102, Westchester, Ill.) for approximately \$70,000 for 350 trees and the installation by a private contractor for 100 of them. City crews will plant the remaining 250 trees. Funding provided by Parks/Forestry general fund. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the purchase from L3-Mobile Vision (90 Fanny Rd., Boonton, NJ) in the amount of \$122,404 for 20 in-car video camera replacements for the Police Department. Funding provided by the Community Oriented Policing Services Grant, Police FY 06-07 budget and the current camera maintenance contract. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of proposal from MWH Americas, Inc. (370 Interlocken Blvd., Broomfield, CO) for engineering services for the Water Distribution Modeling Analysis in an amount not-to-exceed \$38,000. Funded by the Water Fund. \*

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

\* Approval of Change Order #2 for the Fire Station #5 project increasing the CATH Associates (2401 Main St., Evanston) construction management contract by \$57,800 from \$156,760 to \$214,560 for LEED commissioning services to be performed by Grumman/Butkus and Associates (820 Davis St, Ste 300, Evanston). Funding provided by the Capital Improvement Plan (possibly reimbursed from an Illinois Clean Energy grant). \* APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Resolution 22-R-06 – Prevailing Wages for Public Works Projects – Consideration of proposed Resolution 22-R-06, which relates to the prevailing wages for Public Works Projects required by Illinois statute. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 23-R-06 – Lease Agreement with the Metropolitan Water Reclamation District of Greater Chicago (MWRD for the former Permalawn property – Consideration of proposed Resolution 23-R-06, which authorizes the City Manager to execute a lease agreement with the MWRD for the former Permalawn property and the adjacent property referred to as North Shore Channel Parcels 2.12 and 2.13. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 24-R-06 – 2006 Motor Fuel Tax (MFT) Resurfacing Program – Consideration of proposed Resolution 24-R-06, by which the City Council would appropriate \$1.2 million of MFT Funds for the 2006 Street Resurfacing Project. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 25-R-06 – 2006 Motor Fuel Tax for General Maintenance of Streets – Consideration of proposed Resolution 25-R-06, by which the City Council would appropriate \$650,000 of MFT Funds to finance the general maintenance of streets by City workforces. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 28-R-06 – Authorize the Execution of an IDOT Agreement for Twiggs Park Bike Path Project – Consideration of proposed Resolution 28-R-06, which authorizes the City Manager to enter into an Agreement for federal funding with IDOT for the Twiggs Park Bike Path Project. Funding provided by \$200,000 federal and \$50,000 CIP. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Ordinance 54-O-06 – Vacating a Portion of the East-West Alley North of 415 Howard St. to Howard Station JV, LLC – Consideration of Ordinance 54-O-06, which vacates the alley north of 415 Howard St. and the dedication of a portion of the eastern property at 415 Howard St. for a new alley. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 57-O-06 – Executing an Easement Agreement with Howard Station for Footings at 415 Howard St. – Consideration of Ordinance 57-O-06, which authorizes the City Manager to execute an easement agreement with Howard Station JV, LLC for footings (caisson bells) at 415 Howard St. \* MARKED INTRODUCED – CONSENT AGENDA

\* Ordinance 49-O-06 – Declares City Property as Surplus – Consideration of proposed Ordinance 49-O-06, introduced March 27, 2006, which declares various items of City property as surplus so that the vehicles and equipment may be offered publicly for sale at the June 3, 2006 Lake County, Ill. Municipal Auction. \* ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

PLANNING & DEVELOPMENT:

\* Ordinance 53-O-06 – Planned Development for 2607-2617 Prairie Ave. – Consideration of a recommendation from the Plan Commission to approve a map amendment and planned development for Evanston Prairie LLC. The map amendment includes a change from a C2 Commercial District to a

B2 Business District. The PUD includes about 13 dwelling units, 1,200 sq. ft. of retail/commercial space, a maximum defined building height of about 45 feet and a minimum of 22 off-street parking spaces enclosed within the building. \* MARKED INTRODUCED – CONSENT AGENDA

\* Resolution 26-R-06 – Reserving \$3,500,000 of Bond Volume Cap for 2006 Local Use – Consideration of Resolution 26-R-06, which reserves the City’s right to issue tax exempt bonds, under the bond volume cap allocation, for eligible purposes. Without approval of this resolution by May 1, 2006, the State of Illinois could use this bond volume cap throughout Illinois for eligible purposes.  
\* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 27-R-06 – Ceding of \$2,448,800 of 2006 Bond Volume Cap to the Illinois Housing Development Authority – Consideration of Resolution 27-R-06, which cedes a portion of the City’s private activity bond volume cap, or \$2,448,800 to the Illinois Housing Development Authority (IHDA) to participate in IHDA’s Mortgage Credit Certificate Program and First-Time Homebuyer’s Mortgage Program with down payment assistance. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Ordinance 52-O-06 – Establishing a Moratorium on the Issuance of Building Permits for Construction in the West Evanston TIF District and Areas to the North – Consideration of Ordinance 52-O-06, which provides for a 120-day moratorium on the issuance of building permits in the West Side TIF and areas to the north. \* MARKED INTRODUCED – CONSENT AGENDA

Alderman Rainey moved that 52-O-06 be amended to include all of the TIF District including the north side of Church Street to Brown and Dodge going north on the east and west side of the street to the first alley north of Church Street. And to Section 4 a) which should read: “This Ordinance 52-O-06 shall not apply in the following circumstances: a) to a perfected building permit application for new construction which is on file with the City on or prior to the effective date of this Ordinance.” Seconded by Alderman Tisdahl. Motion carried unanimously.

Alderman Rainey moved to Suspend the Rules to adopt an ordinance at the same meeting in which it was introduced. Seconded by Alderman Moran. Voice vote. Motion carried unanimously.

Alderman Rainey moved adoption of Ordinance 52-O-06 as amended. Seconded by Alderman Moran.

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

\* Plat of Consolidation – Bristol Development - 415 Howard St. – Consideration of a request for plat of consolidation for 415 Howard St. by Bristol Development (Howard Station JV, LLC). \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* 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. \* ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

#### HUMAN SERVICES COMMITTEE

\* Approval of March 2006 Township Monthly Bills – Consideration of a recommendation to approve the Township bills, payroll and medical payments for the month of March 2006 in the amount of \$105,053.89. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

#### OTHER COMMITTEES

\* Ordinance 48-O-06 – Amends Title 2, Chapter 14 – Energy Commission – Consideration of Ordinance 48-O-06, introduced March 27, 2006, which would amend Title 2, Chapter 14, Section 2 to

reduce the number of commission members from eleven to seven. \* ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Recommendation to Fund Five Neighborhood Business Districts – Consideration of a recommendation to fund five Neighborhood Business Districts for proposed activities through the Neighborhood Business District Program. Funded by the Economic Development Fund. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Ordinance 55-O-06 – Howard Street Redevelopment Agreement with the City of Evanston and Howard Station JV, LLC – Consideration of Ordinance 55-O-06, which authorizes the City Manager to execute a Redevelopment Agreement with Bristol Chicago LLC for the redevelopment of 415 Howard St. \* MARKED INTRODUCED – CONSENT AGENDA

### **APPOINTMENTS**

Mayor Morton asked that the following appointment be introduced:

Elizabeth Kinney 1024 Brummel St.	Environment Board
--------------------------------------	-------------------

Mayor Morton asked that the following appointment be confirmed:

Carl M. LaMell 830 Milburn St. For term ending April 15, 2010	Mental Health Board
---	---------------------

\* APPROVED – CONSENT AGENDA

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

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

Ordinance 31-O-06 – Special Assessment No. 1484 – Alley Paving – Consideration of proposed Ordinance 31-O-06, introduced March 27, 2006, by which City Council would authorize the paving of the alley north of Colfax St., east of Pioneer Rd.

Ordinance 33-O-06 – Special Assessment No.1481 – Alley Paving - Consideration of proposed Ordinance 33-O-06, introduced March 27, 2006, by which City Council would authorize the paving of the alley north of Jenks St., east of Broadway Ave.

Ordinance 34-O-06 – Special Assessment No.1485 – Alley Paving - Consideration of proposed Ordinance 34-O-06, introduced March 27, 2006, by which City Council would authorize the paving of the alley north of Monroe St., east of Ridge Ave.

Ordinance 35-O-06 – Special Assessment No.1486 – Alley Paving - Consideration of proposed Ordinance 35-O-06, introduced March 27, 2006, by which City Council would authorize the paving of the alley north of Dempster St., east of Fowler Ave.

No action was taken on the above four ordinances due to notification requirements.

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

Ordinance 38-O-06 – Planned Development - Church Street Village LLC, 1613 Church St. – Consideration of Ordinance 38-O-06, introduced March 27, 2006, with 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 R4 General Residential District. The planned development includes 40 single-family attached dwelling units, approximately 82 off-street parking spaces and setbacks.

Alderman Rainey moved approval of Ordinance 38-O-06. Seconded by Alderman Moran.

Alderman Jean-Baptiste moved an amendment to Section 3: (c) (1) where the setback on Church is stated as 8.3" from the front property line should say twenty and twenty-two feet. Seconded by Alderman Rainey. Motion carried unanimously.

James Murray, attorney for the developer, clarified that the closest point between a building and the front lot line will remain the 8.3" that is in the ordinance. The main building containing 8 units has been pushed north to 20-22 feet on Church Street.

Alderman Jean-Baptiste moved Section 6 be amended to indicate the applicant has agreed to donate \$25,000 to the City's Job Initiative Fund in addition to the \$50,000 he is donating to the Mayor's Special Housing Fund. Seconded by Alderman Moran. Motion carried unanimously.

Alderman Jean-Baptiste announced that the Youth Training and Employment Fund was open for donations.

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

Planned Development for 1708-1710 Darrow Ave./1805 Church St. – Consideration of a recommendation from the Plan Commission to deny a planned development for the Housing Opportunity Development Corporation. The planned development includes a 4-story multifamily residential building with 27 affordable-housing units and 30 off-street parking spaces.

Alderman Rainey reported no consensus was reached in committee. The Committee established a special sub-committee chaired by Alderman Holmes with Aldermen Tisdahl, Jean-Baptiste and Hansen, plus three representatives of the applicant and three representatives of opponents, to meet on April 17 at the Civic Center. This item was requested to return to the P&D Committee on May 22, 2006.

Ordinance 27-O-06 – Inclusionary Housing Ordinance – Consideration of Ordinance 27-O-06, an Inclusionary Housing Ordinance, to require specified planned developments to include affordably priced dwelling units. The Housing Commission recommends adoption of this ordinance.

Alderman Rainey reported that this item was held in committee.

Request for \$25,000 in Mayor's Special Housing Funds for Housing Opportunity Development Corporation's Housing Counseling Program – Consideration of the Housing Commission recommendation to approve the request by the Housing Opportunity Development Corporation for \$25,000 in Mayor's Special Housing Funds to support their Housing Counseling Program.

Alderman Rainey reported that this item was held in committee.

## **HUMAN SERVICES COMMITTEE**

Ordinance 10-O-06 – Indoor Clean Air Amendments – Consideration of Ordinance 10-O-06, whereby the City Council would replace Title 8, Chapter 21 of the City Code to expand the number and types of workplaces where smoking is prohibited.



Alderman Jean-Baptiste asked that Ordinance 10-O-06 be marked introduced.

Alderman Hansen moved to amend the ordinance under Section 8-21-5: Prohibition of Smoking, 9<sup>th</sup> bullet, would add to Lobbies, hallways, and other common areas in apartment buildings, condominiums, add “and housing cooperatives.” Seconded by Alderman Rainey. Motion carried unanimously.

Alderman Hansen moved to amend the ordinance under Section 8-21-7: Where smoking is not regulated: She noted in Subsection (3) about retail tobacco stores, there is the caveat that smoke from these places does not infiltrate to areas where smoking is prohibited under the provisions of any section of Chapter 8-21. She asked to make that part of the language for Subsections (1) and (2). The concern is if someone is a chain smoker living in an apartment, condominium or co-operative, smoke will infiltrate through the interior door into the hallway and is a violation of the ordinance. She felt it should be included. Seconded by Alderman Moran. Voice vote. Motion carried unanimously.

Alderman Hansen moved to amend the ordinance under Section 8-21-11: Violations and Penalties: That Subsection (4) should apply to Subsection (A). This amendment would make Subsection (4) (A1). Motion carried unanimously.

### **OTHER COMMITTEES**

Ordinance 56-O-06 – Setting Term Limits for the Northwestern University/City Committee – Consideration of Ordinance 56-O-06, which establishes term limits on membership to the Northwestern University/City Committee.

Alderman Moran asked the ordinance be marked introduced.

Alderman Bernstein stated this committee is a mechanism to foster communication between NU and the community about the university’s land needs and the City’s needs. He noted they heard that evening that NU had acquired property that was specifically to be discussed by this committee. The NU/City Committee met recently and he thought this sale had not been discussed and was planned before the committee met; wanted to discuss with the City’s attorney about going to Judge Aspen for a breach of the Consent Decree. Not only was the letter of the law violated, but the spirit as well. If they are going to have a committee it should be for the purposes intended, so he saw no sense in trying to decide who would serve on this committee. If NU is not going to cooperate or follow the judge’s ruling regarding the settlement of the lawsuit, he saw no sense in going forward. Alderman Bernstein moved to hold this over to determine whether they are participating in a valid committee. Alderman Rainey asked for a written opinion from legal staff.

Alderman Jean-Baptiste was concerned about notice for the Rules Committee meeting where terms were discussed; suggested this be discussed at the next Rules Committee. Alderman Wollin reported the Rules Committee meeting was noticed correctly and an agenda posted. She emailed Mr. Atkins and Mr. Schoenfeld after the Rules Committee meeting to notify them that NU had not accepted the proposal to increase the size of the committee; told them the sense of the committee was that one current member would stay on (after four-year terms were set up) for a two-year term and someone new would be appointed for a four-year so that terms would be staggered. The two men would decide who would stay and who would step down. Mr. Schoenfeld would stay on the committee and Mr. Atkins would step down.

There was discussion among Council members that individual notices are not sent out for meetings. Ms. Carroll said the Rules Committee agenda is posted in the building and the notice of meeting posted on the City’s website and calendar as is done with all meetings. The same process was followed for the March and April Rules Committee meetings. At the March meeting, the committee discussed taking the issue of appointments up at the next meeting, which always is the first Monday of the month.

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

**7th Ward.** Alderman Tisdahl thanked Assistant City Manager Judith Aiello and Community Development Director James Wolinski for coming to a 7<sup>th</sup> Ward meeting and doing a wonderful job discussing development in downtown Evanston. There was standing room only. She suggested more chairs be provided at the Ecology Center.

Alderman Tisdahl made a reference to the Plan Commission to consider rezoning from B2 to B1A the north side of

Central Street from the west side of Eastwood Avenue to Independence Park on the south side of Central from 1726 Central Street, the first property west of the historic house to Hartrey Avenue including the southwest corner of Hartrey and Central, known as 2200 Central.

**8<sup>th</sup> Ward.** Alderman Rainey reported an experience with a proposed development at the corner of Ridge and Dobson. The owner of three small apartment buildings wanted to tear them down and build a condominium. She recommended a zoning analysis, which was done and neighborhood meetings before any site plan and appearance review. They met once and a seven-story building with 40 units was presented. Neighbors objected so they came back with a five-story building with 20 some units. She suggested that was the best way to interact with developers before they get into any formal process and establish a better rapport in the community.

She thanked everybody for their support of the Howard Street Bristol project and special thanks to Judy Aiello for shepherding this along for two years. She also thanked the M/W/EBE Advisory Committee.

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

**1<sup>st</sup> Ward.** Alderman Wollin reported after teaching and counseling in the morning, she learned that NU had bought a piece of property in the T1 District. No one was more disappointed that she that NU failed to disclose this action. She had worked hard to try to improve relations and this action did not do that. She spoke to a university official that day to convey her disappointment and anger. Building trust will now require serious work. She and the NU/City Committee knew nothing about this action.

She announced that Oakton Community College is opening and dedicating its Arts, Science and Technology pavilion officially on Tuesday, April 18, from 3:30 to 5:00 p.m. The new building has architecture, construction management, art and graphic design, computer networking systems, computer technology information systems, electronics, engineering and manufacturing. The building was designed by Ross Barney + Jankowski Inc. This program makes Oakton the leading provider of high-tech training in this region and is paid for by state dollars. She urged people to come.

In response to Mayor Morton, Alderman Wollin stated that the NU official told her that NU's reading of the Consent Degree was it does not say they cannot purchase land. She told them this violated the spirit of the agreement. She was told that, legally, the decree does not say NU must disclose purchase. The City cannot stop NU from purchasing property.

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste made a reference to the City Manager to look into the pros and cons of a change in the ordinance that prevents refuse pickup in buildings that requires 75% owner occupancy.

He thanked all who came to the founding Youth Initiative event. About 200 people attended and 60-70 youth participated in workshops and put issues on the table. The hope is this will be sustained for the future. There were workshops on parenting, strengthening police/community relations, strengthening accountability of education institutions, increasing the number of support agencies that volunteer to help youth and the last was a discussion among youth on where they are.

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

**4<sup>th</sup> Ward.** Alderman Bernstein thanked Doug Gaynor for the wonderful welcome to Shani Davis and noted the event was well-attended. He found Mr. Davis to be a humble and sweet man who is idolized by the kids.

He reported a home at 1249 Maple Ave. that has been vacant for 20 years now has a police yellow rope around it indicating health and safety issues; urged the City do what they can to get rid of it.

**5<sup>th</sup> Ward.** Alderman Holmes thanked all who came Saturday to the Evanston Youth Initiative. She found it rewarding to see so many children and parents; urged Evanston get a bowling alley, roller skating facility and other facilities for youth.

She announced the monthly 5<sup>th</sup> Ward meeting would be Thursday, April 20, 7:00 p.m. at Fleetwood-Jourdain, where they

will continue to look at plans for the west side of Evanston.

Saturday, April 15 will be the first 2006 5<sup>th</sup> Ward cleanup with Dumpsters throughout the ward. She reminded people not to put tires into Dumpsters because it costs the City \$50 per tire to get rid of them.

**6th Ward.** Alderman Moran stated that National Public Safety Telecommunicators Week is dedicated to public safety and communicators who aid in providing 9-1-1 emergency assistance to citizens everywhere. During 2005, the Evanston 9-1-1 Communications Center answered 52,607 calls to 9-1-1 and 67,427 non-emergency phone calls. The Center dispatched more than 54,000 police, fire and medical incidents. The term 9-1-1 is often associated with rapid emergency response, poise under pressure, aid and compassion in times of distress and critical decision-making within seconds. Many people don't stop to think about these seemingly nameless, faceless individuals until they experience actual emergencies themselves. These professionals make the difference between life and death in many instances.

He read the names of telecommunicators and their length of service to the City of Evanston: Dan Capesius (15 years), Richard Clucas (7 years), Joe Des Jardins (5 years), Lynn Fishman (16 years), Phillip Gonzales (4 years), Carl Hasten (1 year), Deborah Hakimian (16 years), Steve Jackson (7 years), Julie Jensen (6 years), Jeffrey Koehler (7 years) Curt Kuempel (6 years), Jesse Ramsay (2 years), Michael Stonequist (15 years), Linda Thompson (2 years), Christopher Voss (7 years), Tory Wideman (3 years) and Perry Polinski (25 years). He did not want them to remain nameless and recognized them for their service.

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 11:46 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.