

CITY COUNCIL

May 8, 2006

ROLL CALL - PRESENT:

Alderman Hansen
Alderman Wollin
Alderman Jean-Baptiste
Alderman Wynne

Alderman Bernstein
Alderman Holmes
Alderman Moran
Alderman Tisdahl
Alderman Rainey

A Quorum was present.

PRESIDING:

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, May 8, 2006, at 9:00 p.m. in the Council Chamber.

ANNOUNCEMENTS:

City Manager Julia Carroll announced that Saturday, May 20 marks the 20th Anniversary of Evanston Community Media Center (ECMC) with the whole community invited to an open house from 11:00 a.m. to 4:00 p.m. at 1285 Hartrey Ave.

Ms. Carroll announced that the Evanston Historical Society would present a program titled, "Significant Evanston Fires" on Wednesday, May 24, 7:00 p.m. in the Council Chamber. Evanston's Fire Department worked with the Historical Society to put together the presentation.

Community Health Services Chief Carla Bush announced the City's Lawn Care Recycling Program would be held Saturday, May 20, from 8:30 a.m. to 12:30 p.m., at the Recycling Center, 2222 Oakton St. Evanston residents are encouraged to drop off their gas-powered lawn mowers and old gas cans. Recyclers will be given a new gas can and those who show proof of purchase of a non-gas powered mower by July 1, 2006, will receive a \$150 rebate.

Assistant City Manager Judith Aiello announced that on Saturday, May 20 the Evanston Farmer's Market will open from 7:30 a.m. to 1:00 p.m.

Police Chief Frank Kaminski invited all to participate in Bike to Work Day on Wednesday, May 17, and to a rally at 8:00 a.m. in Ingraham Park (behind the Civic Center, 2100 Ridge Ave.). The Evanston Bicycle Club will present a check to Parks/Forestry & Recreation to purchase bike racks and equipment for the bike patrol. The event is sponsored by the Police and Health & Human Services departments and the Evanston Bicycle Club.

Mayor Morton proclaimed May - Preservation Month

CITIZEN COMMENT:

Jackie McGuire, 2241 Sherman Ave., board member, read a statement on behalf of Northwestern Neighbors. They understand Council will consider possible responses to NU's purchase of 1945 Orrington Avenue and its failure to disclose this purchase at the March 20 NU/City Committee meeting. Neighbors believe that this property purchase fell within the letter and spirit of the Consent Decree. Despite this episode, their organization believes the NU/City Committee is valuable and should continue. NU's decision to withhold full disclosure of this purchase was influenced by some to undermine the committee. They believe stronger support for the committee and a firm insistence on compliance with the Consent Decree, which the majority of Council has begun to provide, will lead to compliance in the future. Even if NU continues to ignore its commitments, the committee can shine a light on its behavior that will educate the public and public officials who deal with NU on behalf of the public. They remain hopeful that the committee's purpose, to foster a dialog between NU and the community about its land use plans, can be achieved. They don't hold much hope with the current administration but those individuals will not be in office forever. If NU chooses to communicate with them as neighbors, rather than legal adversaries, they believe the committee can be useful. Now would be a bad time to take Bob Atkins off the committee. That proposal is a scheme to undermine the committee and the Consent Decree that

surely emboldened NU to ignore its obligations for 1945 Orrington. How the City responds to NU's land needs will affect this community for generations. NU has demonstrated that it will act in its own interest. No one should expect otherwise.

Patrick McDonough, 1010 Colfax St., stated that part of the Bryant/Colfax sewer project involved widening the western quarter of Colfax to 24 feet. Neighbors received a flyer stating that after May 8, if approved, their street will be shaved and curbs redone to get to the 24-foot width the Fire Department wants. The problem with the 24-feet is that it is a wish, not a requirement and alleged they were one of the first streets to have this implemented. Currently, their street measures 23 feet 9 inches to 24 feet wide. He suggested the City will spend a lot of money on the street and curbs and mess up a beautiful parkway for the sake of three inches, which is a serious misuse of taxpayers' dollars.

Chris Carey, 2739 Girard Ave., chair of the Preservation Commission, thanked Mayor Morton and Council for proclaiming May as Preservation Month. Over the last year they held more than 27 meetings plus site visits and appreciated being recognized. They have requested community preservation awards be made at the May 22 meeting.

Leilani Garrett, 937 Forest Ave., expressed appreciation for the difficult work that Evanston law enforcement does to have a safe and peaceful environment. She reported that a number of incidents have caused her concern, in particular how some police officers approach young black men in the community. She is the mother of a 16-year old son who attends ETHS. Between the beginning of school and Halloween, he and various groups of friends were stopped five times in a seven-week period while walking home from school, the movies and the bus stop before curfew. She recognized that some people do need to be stopped and questioned by law enforcement, but some of the officers' attitudes were antagonistic, telling the youth, "why don't you do something with your life" suggesting a pre-judgment of an individual's character. She related an incident where a youth was stopped and cuffed in the middle of Howard Street. The attitude of the officers was so derogatory that she stepped in and reminded them that this was somebody's child and maybe they should determine whether he was a criminal before treating him as such. As summer approaches, she has concerns and invited suggestions on how she could help rectify what could be a big problem dealing with the "them versus us" attitude.

Sharon Dershin, 1417 Greenleaf St., stated she was upset about the condition of state roads in Evanston: Ridge, Sheridan Road, Central Street and McCormick; noted that funding has disappeared for seven years and asked what is being done.

Mayor Morton pointed out a portion of McCormick is being worked on currently. Ms. Carroll recalled a portion of Central was repaved last year but some parts were not funded. The City has funding for portions of Ridge and Sheridan Road, which are scheduled for 2008, but the City cannot get through the process any faster.

Engineering Director John Burke stated he would meet with federal transportation officials the next day to determine how fast they can move jurisdictional transfers of Ridge and Sheridan Road. Ms. Dershin said a lot of money is spent on high rises and other housing, yet the streets are in bad shape. She planned to speak with Representative Jan Schakowsky. Mayor Morton explained that the federal government gives money for transportation and the states wait for that money. Funding is not easy to get. The City cannot control what does not belong to them. If Ms. Dershin can help push funding faster, that would be great. Things that are not done are not due to negligence. Ms. Dershin asked what the City will do to make things go quicker? The Mayor explained that the City makes requests but does not control IDOT and has no control over streets that they don't own. Ms. Dershin said that Golf Road was shaved down to eliminate bumps. Mayor Morton explained that the north half of Golf Road belongs to Evanston and the south half belongs to Skokie. Ms. Dershin asked why Ridge could not be shaved down? Mr. Burke stated that federal funds were approved for Sheridan Road and Ridge Avenue. The sewer has been designed but the roadway will need to be designed through a federal process. The federal authorization was \$2.4 million and the state commitment is for another \$1.2 million for Ridge Avenue (\$3.6 million). The federal and state is \$3.3 million for Sheridan Road. Mr. Burke stated the agreements have to be worked out between the federal and state and a process of resolutions by the Council.

Alderman Jean-Baptiste explained that he, too, is dissatisfied with the condition of the streets. In the last budget cycle more funds were allocated to fix the streets and the City has worked aggressively to get federal and state funds. He asked staff to follow up concerning Ms. Garrett's comments.

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: Ordinance 27-O-06 - Inclusionary Housing Ordinance; Request for \$25,000 in Mayor's Special Housing Funds for HODC's Housing Counseling Program; Designation of Citizens' Lighthouse Community Land Trust as a Community Housing Development Organization and Ordinance 56-O-06 – Setting Term Limits for the Northwestern University/City Committee. Seconded by Alderman Wynne. Roll call. Voting aye – Hansen, Wollin, Jean-Baptiste, Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey. Voting nay – none. Motion carried (9-0).

ITEMS APPROVED ON CONSENT AGENDA

MINUTES:

* Approval of Minutes of the Regular City Council Meeting of April 24, 2006. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

ADMINISTRATION & PUBLIC WORKS:

* Approval, as recommended, of City of Evanston payroll for the period through May 4, 2006 and City of Evanston bills for the period ending May 9, 2006, authorized and charged to the proper accounts:

City of Evanston payroll (through 05/04/06)	\$2,144,922.91
City of Evanston bills (through 05/09/06)	\$2,833,972.48

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

* Approval of the lowest responsive and responsible bid from DNB Construction Company (714 N Michigan Ave, Villa Park, IL) for the 2006 MFT Street Resurfacing Project in the amount of \$1,082, 480.10. Funded by Motor Fuel Tax funds. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Approval of the lowest responsive and responsible bid from Pedersen Construction Inc. (936 Holmes Ave, Deerfield, IL) in the amount of \$38,310 for the Chandler-Newberger Center entry renovation project. Funded by the Capital Improvement Program (\$50,000). * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Approval of the lowest responsive and responsible bid from KGI Landscaping (P.O. Box 265, Skokie) in the amount of \$48,384 for the Green Bay Rd. landscape maintenance project. Funded by the General Fund. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Approval of prequalification of four (4) architectural and urban design service consultants in the West Evanston TIF area: Farr Associates, (53 W Jackson Blvd, Chicago) JR, LLC (30 W Monroe, Chicago), Yas Architecture (1603 Orrington Ave, Evanston) and the Lakota Group (212 W Kinzie Group, Chicago). * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Approval of Change Order #1 to Joel Kennedy Constructing Corp., (40 Noll St, Waukegan) contract for the Colfax/ Bryant Storm Sewer Project, decreasing the contract by \$60,905.32, from \$2,505,461.50 to \$2,444,556.18. Funded by the Sewer Reserve account. (Alderman Moran recused himself due to a potential conflict of interest.) * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Approval of Change Order #2 to Joel Kennedy Constructing Corp., (40 Noll St, Waukegan) contract for the proposed widening of Colfax and Grant streets from the current project limits to Ridge Ave., increasing the contract by \$125,596 from \$244,556.18 to \$2,570,152.18 (Funding provided by the CIP). Alderman Moran recused himself due to a potential conflict of interest.) * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

* Resolution 34-R-06 – Reimbursement Resolution for 2006 GO Bonds – Consideration of proposed Resolution 34-R-06, by which City Council would authorize that any payments made relating to FY 2007 CIP projects would be reimbursed by the subsequent issue of General Obligation (GO) bonds.

The issue of FY 2006 GO Bonds is expected in July 2006 * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Ordinance 61-O-06 – Amends Section 3-5-6(B) of City Code – Class B Liquor Licenses – Consideration of proposed Ordinance 61-O-06, introduced April 24, 2006, which amends Section 3-5-6(B) of the City Code to increase the number of Class B liquor licenses from 14 to 15 due to the addition of La Petit Amelia Bistro and Wine Bar, 618 Church St. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (9-0)

* Ordinance 62-O-06 – Amends Section 10-11-7, Schedule VII(B) – Loading Zone – 127 Custer Ave. – Consideration of proposed Ordinance 62-O-06, introduced April 24, 2006, which amends Section 10-11-7, Schedule VII(B) of City Code to add a loading zone in front of a daycare facility at 127 Custer Ave., from 7:00 a.m. to 6:00 p.m., Monday through Friday. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (9-0)

* Ordinance 63-O-06 – Amends Section 10-11-5, Schedule V(C) – Three-Way Stop – Grant/Dodge – Consideration of proposed Ordinance 63-O-06, introduced April 24, 2006, which amends Section 10-11-5, Schedule V(C) of the City Code to add a three-way stop at Grant St. and Dodge Ave. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (9-0)

* Ordinance 64-O-06 – Amends Section 10-11-5, Schedule V(D) – Four-Way Stop – Forest/Hamilton – Consideration of proposed Ordinance 64-O-06, introduced April 24, 2006, which amends Section 10-11-5, Schedule V(D) of the City Code to add a permanent four-way stop at Forest Ave. and Hamilton St. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (9-0)

PLANNING & DEVELOPMENT:

* Ordinance 59-O-06 – Special Use for a Type 2 Restaurant – 1630 Sherman Ave. – Consideration of a recommendation from the ZBA, introduced April 24, 2006, to approve a Special Use for a Type 2 restaurant in the Barnes & Noble Bookstore at Sherman Plaza, 1630 Sherman. * ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (9-0)

* Reserving HOME Funds – Evanston Housing Coalition – Reserves \$180,000 of HOME funds for potential use by the Evanston Housing Coalition, a certified Comprehensive Housing Organization, for a future project. (This is not a commitment to fund, but a reservation of funds to meet HUD requirements.) * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

HUMAN SERVICES COMMITTEE

* Approval of April 2006 Township Monthly Bills – Consideration of a recommendation to approve the Township bills, payroll and medical payments for the month of April 2006 in the amount of \$93,414.58. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

OTHER COMMITTEES

* Resolution 35-R-06 – Amendment to Council Rules: Electronic Attendance – Consideration of Resolution 35-R-06, which amends the Council Rules regarding attendance of members by electronic means. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

APPOINTMENTS

Mayor Morton asked that the following appointments be introduced:

Marva L. Berger

Board of Ethics

140 Dempster St.

Jon B. Willarson
1611 Chicago Ave.

Preservation Commission

Mayor Morton asked that the following appointment be confirmed:

Jon S. Pohl
3459 Harrison St.
For term ending May 15, 2009

Preservation Commission

* APPROVED – CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES

PLANNING & DEVELOPMENT:

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 Wynne reported that this item was held in committee and would be reconsidered at the June 12 meeting.

Request for \$25,000 in Mayor’s Special Housing Funds for Housing Opportunity Development Corporation’s Housing Counseling Program (HODC) – 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.

Ms. Carroll explained how staff came up with a recommendation of \$15,000. \$25,000 divided by the 50 people would put the cost of \$500 per client, which seemed inordinately high for that kind of counseling.

Alderman Wynne moved to approve the request for \$25,000. Seconded by Alderman Moran.

Alderman Rainey argued against funding this group at \$25,000 and suggested a \$10,000 grant in committee. With the \$10,000 grant, their housing counseling program would be funded at \$61,000, which was sufficient. She accepted staff’s recommendation and moved to approve \$15,000 and bring their budget to \$66,000. Seconded by Alderman Bernstein.

In response to Alderman Hansen about cost/benefits, Ms. Carroll based the \$15,000 recommendation on Housing Commission minutes from January 19 that indicated they would educate 50 people this year at a cost of \$25,000 (the request). She thought it was a high unit cost and not all would become homeowners. However, they would provide a valuable service to help clean up credit, etc.

Alderman Moran said the numbers appear to be different from what was stated. Ms. Page (counselor) at the P&D Committee meeting told them they plan to have monthly sessions throughout the year, which this budget addresses. The first session was attended by 36 people and 33 at the second, so they are already 40% over the number discussed at the January meeting having gone through 1/6th of the sessions. The response was about cost and the question was about cost/benefit; suggested they focus on benefits. He noted the director of the program made it clear this was not designed to capture 100% of the participants. It is a beginning for people who have not been able to proceed through the complicated world of buying a home. He suggested they would lose focus if there had to be certain percentages of those who attend these counseling sessions that buy a home in a year or two. This program is an attempt to help people develop a mind-set and a skill set to permit them to purchase a home if Council is to support the notion of ownership for people who otherwise might not attain that goal. He suggested they have to approach these efforts with hope, faith and support that they will yield a benefit. He did not think they could predict by numbers or months. He stated Council needed to demonstrate confidence that counseling sessions would enable people to own a home and urged approval of \$25,000.

Alderman Jean-Baptiste noted the counseling started in March and supported Alderman Rainey's call for reporting so they understand what is going on and that HODC understands that Council expects results. He did not think staff's recommendation held water.

Alderman Bernstein did not hear whether the same people came back a second time; noted this program operates in conjunction with Interfaith Housing, funded largely by the City, so these meetings are shared. There are two counselors. Interfaith Housing probably brings the same set of skills and experts in areas where they don't have expertise. He thought \$15,000 was sufficient. Alderman Bernstein moved to require quarterly reports on how many are counseled, the number of duplicates and the benefit. Alderman Rainey learned this group also counsels City employees who are first-time home buyers. The City pays them an additional \$16,000, which is not part of this. They also get CDBG funds from Cook County. She thought with a budget of \$65,000 they could do a spectacular job, give resource materials and call in experts.

Alderman Hansen was not willing to support anything under \$15,000 and noted this is a pilot program. They were told at the last meeting that they would partner with another non-profit organization and was willing to err on the side of caution. If they can serve 150 people and make quarterly reports, she was willing to give the full amount.

Alderman Rainey moved to amend the \$25,000 to \$15,000 from the Mayor's Special Housing Fund to the Housing Opportunity Development Corporation Counseling program. Seconded by Alderman Wynne. Motion carried.

Alderman Wynne moved they award \$15,000 and require quarterly reports. Seconded by Alderman Rainey.

Roll call. Voting aye – Hansen, Wollin, Wynne, Bernstein, Holmes, Tisdahl, Rainey. Voting nay – Jean-Baptiste, Moran. Motion carried (7-2).

Designation of Citizens' Lighthouse Community Land Trust as a Community Housing Development Organization – Consideration of a recommendation from the Housing Commission to designate the Citizens' Lighthouse Community Land Trust (CLCLT) as a Community Development Housing Organization (CHDO) with the City of Evanston's HOME program.

Alderman Wynne moved approval. Seconded by Alderman Moran.

Alderman Wynne described a community land trust as a non-profit organization that purchases land and develops affordable housing on that land; continues to own the land and use long-term leases to provide affordable housing. The goal is to maintain affordability as long as possible.

Ms. Carroll referred Council to the first page of the memo which explains that the land trust owns the land but the property on the land can be sold. Betty Sue Ester said the legal term for the house on the land is the improvement. The purpose of the Community Land Trust, a non-profit organization is to acquire property, take out the land, and sell the improvement to an income-eligible buyer. That person would lease the right to the home on the land under a 99-year lease. They have title and all rights to the home as any other homeowner and may sell the house at an affordable rate. The land would be maintained by the land trust. Once the subsidy is put in, it is never lost.

Alderman Rainey stated that the balkanization of affordable housing groups cuts into available funds for affordable housing. She heard the land trust say their first year budget would not really be \$146,662 in administrative costs. If they cannot believe the documents they receive, there is a serious communication problem. She believes the information received in her packet. Administrative costs have nothing to do with acquisition of property. Their purpose is to acquire one property annually and it sounded like a waste of money. To get affordable housing is priceless, but to spend \$146,000 for administrative costs to produce one unit of affordable housing did not make sense. With that amount of money they could write down the cost of numerous mid-price homes.

Alderman Bernstein agreed it would be nice to have all these organizations together under one umbrella. He has seen great energy from this group that he did not want to stifle. The two pre-eminent affordable housing groups in Evanston

are the Evanston Housing Coalition and the Reba Place Fellowship. He pointed out the City does not use all the funds it has and this is a grassroots organization with a program that can work here.

Alderman Jean-Baptiste thought if this organization could purchase one home a year over the next 20 years that would be 20 homes that would stay affordable for a long time. He noted with other organizations that create affordable units, when units are sold, the affordable housing pool shrinks. He thought it a great approach. They clarified the budget is a projected budget and every proposal will come before Council.

Mayor Morton asked about the organization lasting 99 years. Ms. Ester said there is always the possibility that any organization will die because of lack of commitment. They have found people in the community who accept the concept and have young persons on their board. The board is comprised of five persons from the general community, five are leaseholders who will own the improvements and the other five are people who have the public good in mind such as employees or members of boards. Mayor Morton confirmed, if passed, the City is in no way obligated to provide financing. Ms. Ester explained they need to be officially sanctioned by the City because of the funding sources they go to. With that status their applications for funds carry more weight. Ms. Ester reported they identified 18 foundations they can go to for funds and, since getting organized, the Evanston Public Library identified 400 more funding organizations.

Community Development Director James Wolinski explained that for any organization to be eligible for HOME funds through HUD, it must be an approved CHDO by the Housing Commission and City Council. Without this designation they can go to other foundations, however, they cannot receive funds from the City. The community land trust could be an ancillary CHDO that was already approved.

Alderman Moran suggested this vehicle for affordable housing speaks to Alderman Rainey's earlier concerns that the inclusionary zoning ordinance generally, by definition, addresses multi-unit development and does not address single-family home ownership. This allows for purchase of land in perpetuity that will be here for 99 years. The Community Land Trust would not act in isolation. He has had problems with some human and social service programs that the City funds, because some don't operate collaboratively with other organizations. He suggested the Community Land Trust, with the City's blessing, can seek funds from other organizations and attain legitimacy. They will work with others to create the full final product, a single-family home that has a land lease the trust owns and will maintain in perpetuity. With that key link among other organizations, will lead to an improvement on the land and create perpetual affordable housing. He saw this as a great opportunity to create collaboration among agencies that support affordable housing and address Alderman Rainey's and his concern about having affordable single-family homes.

Alderman Holmes confirmed that five positions on the board are for leaseholders.

Alderman Tisdahl was also concerned about the first year administrative budget, but favored this because this in no way approves that budget and all on the board were open to sharing expenses with another non-profit.

Alderman Wollin recalled attending a League of Women Voters forum on affordable housing with Representative Hamos present. When the concept of community land trust was explained and that people could donate land, which may not be realistic today, two people were excited about that concept and sharing their wealth with future generations. Other communities have begun community land trusts with donated land.

Ms. Ester said when the process started in December 2003 to create a community land trust they met with 16 housing organizations. Since then, they meet quarterly with Reba Place Fellowship, the Evanston Housing Coalition, Housing Opportunity Development Corporation (HODC) and the Evanston Community Development Corporation. Only HODC is located in Wilmette. They deal only with land in Evanston. Mayor Morton asked if there was anything in the by-laws she wished to share. Ms. Ester said the by-laws contain the re-sale formula, ground lease, everything they could think of or cover and got a 501(c)3 ruling from the IRS, which they did in conjunction with the 1998 IRS-Safe Harbor Act that sets the limit of income they can reach. They can go up to 120% above median income. The Citizens' Lighthouse Community Land Trust is a membership organization and anyone can join for \$25 per year. She thanked the aldermen who joined. Alderman Rainey asked if aldermen who belong to this organization could vote on the matter before them. Alderman Tisdahl is a member and recused herself from voting. Alderman Moran has contributed to the fund.

First Assistant Corporation Counsel Herb Hill said prior rulings given dealt with membership not with contribution. If a someone is a member, there is a conflict.

Voice Vote. Motion carried.

OTHER COMMITTEES

Ordinance 56-O-06 – Setting Term Limits for the Northwestern University/City Committee – Consideration of Ordinance 56-O-06, introduced April 11, 2006, which establishes term limits on membership to the Northwestern University/City Committee.

Alderman Moran moved approval of Ordinance 56-O-06. Seconded by Alderman Holmes.

Alderman Wollin pointed out they started this discussion in Closed Session and did not finish. Alderman Wollin moved this be returned to closed session. Seconded by Alderman Bernstein.

Alderman Rainey asked how the matter of term limits on the NU/Citizen Committee could be discussed in closed session.

Mr. Hill explained there is an existing court order and to the extent that term limits affect the court order it would be appropriate for a closed session. They would have to be vigilant in monitoring to be certain it deals with the affect on the court order. The court order addressed membership of the board and to the extent of changing that component would be appropriate for closed session.

Aldermen Wynne, Wollin and Mr. Hill discussed whether this matter should be considered in open or closed session.

Alderman Bernstein called the question.

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

Alderman Bernstein moved to table this matter until the May 22 Council meeting. Seconded by Alderman Wynne. Motion carried unanimously.

CALL OF THE WARDS:

9th Ward. No report.

1st Ward. Alderman Wollin reported attending a ceremony welcoming the fourth I-Go car in Evanston. One I-Go takes ten cars off the road. Hybrid cars are used and if the program is successful, more cars will be provided.

2nd Ward. No report.

3rd Ward. Alderman Wynne invited all to a 3rd Ward Town Hall meeting on Saturday, May 20, from 10:00 a.m. to 11:30 a.m. at Lincoln School Auditorium.

4th Ward. Alderman Bernstein made a reference to the Plan Commission about adopting a method by which cases that presently have final authority with the Zoning Board of Appeals be given some appellate method to Council prior to the need to go to the Circuit Court of Cook County for relief. Seconded by Alderman Wynne. Motion carried unanimously.

He noted that attorney Arthur Berlin had passed away. He was a member of the CHDO board, active with Meals At Home and the Over the Rainbow Association. He stated he was a stellar human being and will be missed.

5th Ward. No report.

6th Ward. Alderman Moran warned people who park cars in a garage to lock the doors and not leave computers in them.

7th Ward. No report

8th Ward. Alderman Rainey announced a legislative update indicated that Klaeren may be dead. She thanked the City Manager and others who have made known the City's displeasure with this horrible court ruling.

She announced that Howard Street elevated reconstruction has begun. The almost \$80 million project will last two years.

Alderman Rainey made a reference to the A&PW Committee to develop an ordinance to ban idling of vehicles for more than five minutes. She also sent reference materials from other communities that do this to the City Manager.

She was concerned because a huge aluminum-sided garage was built (with staff approval) on the 100 block east side of Dodge just north of Dobson. It appears to be the garage for the house north of it, but is the garage that belongs to the house facing Dobson. When she saw a plan for another garage, she was relieved the final authority is the ZBA. She wondered why as aldermen she did not receive information about a matter that would go to ZBA. She looked at the list of people who were notified; found her name but had not received notification. She assumed the notice was sent. She asked all to drive by the garage on Dodge, which was built despite her strenuous objection. She said it is unsightly and damages the value of the property to the north. She urged the City to look carefully at how garages are approved.

Mayor Morton asked the City Manager if there is a plan for what will be done with the Recycling Center. She asked about the glaring lights on the Maple Avenue garage. Alderman Wollin was assured that shutters would be put up on that garage. Ms. Carroll stated that in the new Sherman Plaza garage some fixtures will have light that drops down. The manager will investigate lighting at the Maple Avenue garage.

At 10:50 p.m., Alderman Bernstein moved that Council convene into Closed Session for the purpose of discussing matters related to personnel, real estate, litigation and closed session minutes pursuant to 5 Illinois Compiled Statutes 1202 (c) (1), (5), (6), (11) and (21). Seconded by Alderman Jean-Baptiste.

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

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.
- (5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.
- (6) The setting of a price for sale or lease of property owned by the public body.
- (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
- (21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

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

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

Mary P. Morris,
City Clerk

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