

CITY COUNCIL

May 22, 2006

ROLL CALL - PRESENT:

Alderman Wollin	Alderman Moran
Alderman Jean-Baptiste	Alderman Tisdahl
Alderman Bernstein	Alderman Rainey
Alderman Holmes	

**NOT PRESENT AT
ROLL CALL:**

Aldermen Wynne and Hansen

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 22, 2006, at 9:05 p.m. in the Council Chamber.

ANNOUNCEMENTS:

City Manager Julia Carroll announced a memo had been placed on the dais for Council members requesting Budget Policy Committee meeting dates. Mayor Morton noted in August one regular Council meeting is scheduled and asked that no budget meeting be held. Ms. Carroll said that they could skip August, but four meetings are needed.

Parks, Forestry & Recreation Director Doug Gaynor introduced Environment Board co-chairs Stephen Lupton and Leonard Sciarra, who presented the 2006 Environmental Stewardship Awards.

Debbie Hillman, for environmental activism and tireless support of the Network for Evanston's Future

Steve Gravabic, for dedication to energy efficiency at ETHS

Steve Perkins, for environmental leadership of the Evanston Inter-religious Sustainability Circle and the Network for Evanston's Future

Linda Lutz, for integrating environmental commitment and education with the community

Louise Willis, for her dedication to community beautification

Rich Seaman, for dedication to the environment through social activism

Green Sanctuary Committee of the Unitarian Church of Evanston, for sustainability initiatives and environmental practices

Special Order of Business: Preservation Awards

Evanston Preservation Commission Chair Chris Carey welcomed all and thanked the Council for the opportunity to present the 2006 preservation awards during Preservation Month. He quoted from the *Comprehensive General Plan*, "Evanston should seek to preserve its structures and environments which have given the community much of its physical appeal and special visual character. An intangible, but equally important value, is the sense of history given to those who live here. The shared history of landmark homes gives continuity to the entire community." Mr. Carey stated they were there to honor and recognize fellow Evanston residents and architects, many who live in Evanston. They are honored for their courage to engage in a process that may include additional meetings and oversight. They honor their commitment to their home's history, this community, principles of good design, quality craftsmanship and attention to detail. He thanked Preservation Coordinator Carlos Ruiz and jurors James Bayley, Holly Briggeman and Ryan Kettelkamp.

1837 Asbury Avenue, sensitive addition/alteration - Nathan Kipnis, architect
 1330 Church Street, sensitive addition/alteration – Hans A. Friedman, FAIA
 2703 Euclid Park Place, proper rehabilitation/restoration – Behles & Behles, architect
 1503 Florence Avenue, proper rehabilitation/restoration - Arthur Nowik, contractor
 701 Forest Avenue, sensitive addition/alteration – Rockwell Associates, architect
 228 Greenwood Street, sensitive addition/alteration – Paul Janicki, architect
 2514 Jackson Street, sensitive addition/alteration - Nathan Kipnis, architect
 1012 Judson Avenue, sensitive addition/alteration - Paul Janicki, architect
 1212 Judson Avenue, sensitive addition/alteration – Paul Janicki, architect
 909 Lake Street, sensitive addition/alteration/adaptive reuse – Elliott Dudnik, architect
 2610 Lincoln Avenue, sensitive addition/alteration – R.Scott Javore & Associates, architect
 914 Madison Street, proper rehabilitation/restoration – Susan Rundle, architect
 1425 Main Street, sensitive addition/alteration – Elliott Dudnik, architect
 2672 Orrington Avenue, sensitive addition/alteration – Behles & Behles, architect
 652 Sheridan Road, appropriate new construction – Douglas B. Gillespie, architect
 2603 Sheridan Road, sensitive addition/alteration – Elliott Dudnik, architect
 1601 Simpson Street, new construction and adaptive reuse – VIN Design, architect
 3115 Thayer Street, sensitive addition/alteration – Dian Keehan, architect
 1627 Wesley Avenue, sensitive addition/alteration – Hans A. Friedman, FAIA

**Mayor Morton proclaimed
 May 22 – National Public Works Week
 June 1 - St. Francis Smoke-free Day**

CITIZEN COMMENT:

Jonathan Fiske, 2319 Sherman Ave., former 1st Ward alderman and attorney, spoke about the NU/City Committee established by the U.S. District Court as a unique body with a specific mission -- to provide the neighborhood surrounding the university with advance development plans in the T1, T2 and U1 zoning districts. It was designed to have citizen members serve without term limits as a balance to the permanent members representing the university. The committee has worked well for the past two years with strong support from the neighborhood. He noted recently the university has felt emboldened to indicate to Alderman Wollin that it wanted Bob Atkins and Dave Schoenfeld replaced with people the university likes. The effort to remove these two people from the committee was presented to the Rules Committee under the guise of term limits. This is not what their neighborhood wants. He stated it is wrong to meddle with the Consent Decree. Once the university said no to increasing the number of committee members that should have ended it. He alleged the 1st Ward alderman has tried to push through another favor for the institution that put her in office. Residents of this neighborhood hoped the rest of Council would see what is really going on and stop this effort immediately. The neighborhood supports the current committee. A new one would be a rubber stamp and worse than no committee. He urged no vote on this matter but table it indefinitely.

Donna Zarbin-Byrne, 1928 Noyes St., spoke about the public sculpture commission at Sherman/Davis Plaza for which she and a collaborating Texas artist had applied. She handed out excerpts from the RFP and other information; asked Council to see if it was legally permissible for their proposal to be reviewed, because the City will not allow the Public Arts Committee to review it. A long-term resident and business owner, she applied for four prior sculpture commissions and successfully filled out the paper work; was recipient of one commission at Fire Station #1. She acknowledged it was the responsibility of the applicant to follow procedures and to fill out the form correctly. That was why she and her collaborator called Cultural Arts Director Jeff Corey from Texas the Friday before the deadline because they had questions about the disclosure for the ownership interest page. They were told the form did not have to be notarized unless they were selected. The “notarized” form was not listed in the submittal requirements. She stated they received misinformation, tried to follow procedures and acted in good faith. The Purchasing Division sent an e-mail to a third of the applicants that made the same error, giving 48 hours to have the form notarized. That was a step in the right direction, but unfortunately the e-mail send by Jason Solway, a City employee, contained no subject heading and she had no way to know who he was. Noted that she receives more than 100 pieces of e-mail daily; surmised the e-mail from Jason Solway was trashed. She was out of town when it came but her assistant was looking for anything from Evanston per her

instructions. Since last November she and her collaborator put in hundreds of hours on this proposal. Jason Solway told her that he sent the subjectless e-mail and, when she tried to discuss this with Purchasing Director Bobbie Tolston-Brown, she was treated with hostility and contempt. An e-mail from the City Manager stated there should have been a subject line and opined that this e-mail was a fair second chance. She knew that there have been problems with public art commissions in the past and that measures were taken to improve the situation but felt she was a victim of some of the changes and the contract was unclear. The Public Art Committee is still willing to review their proposal. She asked if this is legally permissible. She pointed out it is the City's responsibility to give accurate information and a more professional means of communication out of respect for the hard work and sacrifice that artists put forth.

Fr. Robert Oldershaw, St. Nicholas Church, said BRAVO to the Evanston Police Department as Police Appreciation Month is observed throughout the nation. As a chaplain, he wears the EPD badge as does Rabbi Dov Hillel Klein, Reverend Kate Gusitolise, Major Alberto Rapley and Reverend Eliezer Tendero. Chaplains ride with the officers and as he spoke some 12 to 18 patrol cars were on the street. All owe police officers, Chief Frank Kaminski and deputy chiefs' appreciation for what they do. He invited all to a brief ceremony of appreciation and memorial of officers past and present on Wednesday, May 24 at 3:00 p.m. on Elmwood Avenue at the Police Department

CONSENT AGENDA (Any item marked with an Asterisk*)

Alderman Moran moved Council approval of the Consent Agenda with this exception: Planned Development for 1708-1710 Darrow Avenue/1805 Church Street. Seconded by Alderman Rainey. Roll call. Voting aye – Wollin, Jean-Baptiste, Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey and Hansen. Voting nay – none. Motion carried (9-0).

ITEMS APPROVED ON CONSENT AGENDA

MINUTES:

* Approval of Minutes of the Regular City Council Meeting of May 8, 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 18, 2006 and City of Evanston bills for the period ending May 23, 2006, authorized and charged to the proper accounts:

City of Evanston payroll (through 05/18/06)	\$2,165,738.36
City of Evanston bills (through 05/23/06)	\$4,082,707.38

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

* Approval of the lowest responsive and responsible bid from D'Land Construction Company (600 S. County Line Road, #1N, Bensenville) in the amount of \$427,968.14 for the 2006 Block Curb & Sidewalk Replacement Project including Oakton Street sidewalk and sidewalk replacement around the schools. Funding provided by GO Bond Funds & CDBG Funds. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9-0)

* Approval of the lowest responsive and responsible bid from D'Land Construction Company (600 S. County Line Road # 1N, Bensenville) in the amount of \$144,036.43 for the 2006 50/50 Sidewalk & Curb Replacement. Funding provided by GO Bond Funds and Private Funds. * APPROVED - CONSENT AGENDA MOTION & ROLL CALL (9- 0)

* Approval of the lowest responsive and responsible bid from A. Lamp Concrete Contractors (800 W. Irving Park Road, Schaumburg) in the amount of \$152, 207 for the 2006 ADA Ramps (Accessible Ramps) Project. Funding provided by CDBG Funds. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of proposal from Doyle & Associates (800 S. Wells, Chicago) in the amount of \$184,500 for Phase Two Architectural Services for the proposed expansion of the Filter Maintenance Shop and the Administration Office area at the Water Treatment Facility. Funding provided by the Water Fund. * APPROVED - CONSENT AGENDA MOTION

AND ROLL CALL (9- 0)

* Approval of the lowest responsible and responsible bid from Lunch at Hand (19450 97th Ave. Mokena, IL) for the 2006 Summer Food Program, in an amount no-to-exceed \$73,402. Funding provided by a Federal Government reimbursement program and the balance by General Funds. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of purchase for one (1) backhoe/loader from West Side Tractor Sales Co., (1560 N. Old Rand Road, Wauconda, IL) in the amount of \$81,123.75 from the General Services Administration bid contract for the Parks/Forestry & Recreation Department, Parks/Forestry Division. Funding provided by the Fleet Services Account. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of purchase for one (1) backhoe/loader from West Side Tractor Sales Co., (1560 N. Old Rand Road, Wauconda, IL) in the amount of \$98,373.75 from the General Services Administration bid contract for the Public Works Department, Streets Division. Funding provided by the Fleet Services Account. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of purchase of two (2) 2006 Ford F 350 trucks with utility bodies using the State of Illinois contract from Dennison Corporation (1508 Morrissey Drive, Bloomington) in the amount of \$76,697 for the Public Works Department, Water Meter Division. Funding provided by the Fleet Services account. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of the lowest responsive and responsible bid from Prairie International Trucks, Inc (401 S. Dirksen Parkway, Springfield) in the amount of \$84,025 for a tandem axle truck with grappler for the Parks/Forestry & Recreation Department, Parks/Forestry Division. Funding provided by the Fleet Services account. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of the lowest responsive and responsible bid from Tyler Lane Construction (4200 W. Victoria Street, Chicago) in the amount of \$315,232 for the Door Replacement and Window Painting Project for the Municipal Service Center. Funding provided by Capital Improvement Program. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of a proposal from Burns & McDonnell Engineering Company, Inc. (9400 Ward Parkway, Kansas City, MO) in the amount of \$26,200 to complete the Valuation of the Water Works Properties. Funding provided by the Water Fund. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of request for additional police service funds in the amount of \$108,420 to address Brummel Park, Downtown Evanston, and the annual Summer Plan. Funding provided by the General Fund and Downtown TIF. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Approval of a sole source contract with Jennifer Spaulding for JDE Edwards/Oracle Support Services in an annual amount not-to-exceed \$79,950. Funding provided by Capital Improvement Program. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Resolution 33-R-06 - Intergovernmental Agreement with Ridgeville Park District - Consideration of proposed resolution 33-R-06 authorizing the City Manager to sign an intergovernmental agreement with Ridgeville Park District providing for the City to operate its summer food program on Ridgeville Park District land at Elks Park and to locate a trailer thereon for that purpose. * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Resolution 37-R-06 - The Seventh Annual Ricky Byrdsong Memorial 5k Race - Consideration of proposed Resolution 37-R-06 authorizing the Ricky Byrdsong Foundation to close a portion of Sheridan Road from Lincoln Street to Forest Avenue for their annual 5k race on Sunday, June 18, 2006 * APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

* Ordinance 67-O-06 – Ridge Avenue Jurisdictional Transfer - Consideration of proposed ordinance 67-O-06 authorizing the transfer of jurisdiction over Ridge Avenue (from Lyons Street to Howard Street) from the Illinois Department of Transportation to the City of Evanston. * MARKED INTRODUCED – CONSENT AGENDA.

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

Alderman Hansen moved adoption of Ordinance 67-O-06. Seconded by Alderman Wynne. Roll call. Voting aye – Wollin, Jean-Baptiste, Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Hansen. Voting nay – none. Motion carried (9-0).

HUMAN SERVICES COMMITTEE

* Ordinance 51-O-06 Annual Township Budget Ordinance - Consideration of Ordinance 51-O-06 whereby the Evanston City Council acting as Township Trustees approves the annual budget of Evanston Township for the fiscal year April 1, 2006-March 31, 2007. This item will be adopted at the June 26th City Council Meeting * MARKED INTRODUCED – CONSENT AGENDA.

OTHER COMMITTEES

* Ordinance 56-O-06 Setting Term Limits for the Northwestern University/City Committee - Consideration of Ordinance 56-O-06, introduced on April 11, 2006, establishing term limits on membership to the Northwestern University/City Committee. * ADOPTED - CONSENT AGENDA MOTION AND ROLL CALL (9- 0)

APPOINTMENTS

Mayor Morton asked that the following appointments be confirmed:

Marva L. Berger 140 Dempster St. For term ending May 30, 2009	Board of Ethics
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Jon B. Willarson 1611 Chicago Ave. For term ending May 30, 2009	Preservation Commission
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* APPROVED – CONSENT AGENDA

REPORT OF THE STANDING COMMITTEES

PLANNING & DEVELOPMENT:

Planned Development for 1708-1710 Darrow Avenue/ 1805 Church Street - 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 multi-family residential building with 27 affordable housing units and 30 off-street parking spaces. The Committee began discussion on March 27, 2006 and held this item. This item was held at a special committee meeting on April 4, 2006, held in Committee on April 11, 2006 and brought back by a P&D subcommittee at the May 22, 2006 committee meeting.

Alderman Wynne moved that Council accept the recommendation from the Plan Commission to deny a planned development for the Housing Opportunity Development Corporation. Seconded by Alderman Moran.

The Plan Commission's vote against this project was a stunning decision to Alderman Moran and based on the idea that the 27-rental unit project at the corner of Church/Darrow would lead to a concentration of poverty and signified a sinister development for Evanston. No one had overtly discussed that. Even though not mentioned, he wondered if for some reason, the majority of Council had decided to accept the Plan Commission's recommendation that having 27 affordable rental units was a nefarious thing to consider. There was a lot of discussion in the P&D Committee. The vote there turned its back on the principles by which the West Side TIF was established and on the plan adopted for it and approved by this Council. He found this one of the most discouraging moments he has had in 15 years but thought, ultimately, they would prevail. He thanked Alderman Holmes and the ECDC for their work, Housing Opportunity Development Corporation and Richard Koenig for an incredibly courageous, thoughtful, creative, economic, forward-thinking, generous and humane proposal that fought in the face of cold winds from people who wanted to find any small item in the program to reject it. He said Keith Banks had done a lot of work; thanked Alderman Jean-Baptiste for the courage to say what he did at the P&D Committee meeting that evening. The two aldermen who had the most at stake worked hard supporting this proposal because they represent their constituents and tried to do the right thing. The fact that they did not succeed did not mean they were wrong. He asked one alderman who voted against accepting the recommendation to vote for it.

Alderman Rainey said the vote to uphold the Plan Commission's denial was about the only way they could cast a vote on this project. The Plan Commission is the only body that hears or denies applications for planned unit developments. She was at the Plan Commission hearing for this project and ultimately agreed with their decision; commended efforts of the West Side community that have improved their property. There was an award that evening for property on Simpson Street and it was stated that project would stimulate development. She did not understand aldermen who trash those not 100% in support of a project. The Housing Opportunity Development Corporation can come back with or without a planned development and she would be glad to listen to any project they bring. This was the right aldermen and the wrong project; encouraged aldermen to vote the same way they had voted in Committee.

Alderman Rainey called the question. Seconded by Alderman Wynne. Motion carried.

Roll call. Voting aye – Wynne, Bernstein, Tisdahl, Rainey, Hansen. Voting nay – Wollin, Jean-Baptiste, Holmes, Moran. Motion carried. (5-4).

CALL OF THE WARDS:

1st Ward. Alderman Wollin announced that Dillo Day at Northwestern University was coming Saturday with a big band and free lunch. All homeowners received a door hanger that lists every City ordinance that deals with nuisance premises, loud parties, consumption of alcohol, fake I.D.'s, disturbing the peace with fines and consequences. These are distributed by Northwestern Student Affairs and students get the same door hangers in residence halls. She thought between Evanston and Northwestern Police they had an excellent plan to maintain peace and order. Neighbors are urged to call the police if there are problems. The intent is to enforce the ordinances.

2nd Ward. Alderman Jean-Baptiste asked the city manager to enhance quarterly street cleaning. He recalled on Veterans Day, residents found tow trucks because they had not moved their cars. He urged that quarterly cleaning be looked at; noted the block on Asbury between Emerson and Green Bay Road has school kids catching busses. After cleaning it once every three months it continues to be a mess. He did not think the policy was effective and that it harasses people.

He asked for feedback on a reference he made earlier to have condominiums with owner occupancy of 75% or less to have refuse pick up.

3rd Ward. Alderman Wynne announced the Parking Committee meeting on Wednesday, May 24 was cancelled and the Economic Development Committee was still on.

She thanked the Environment Board for its excellent awards program; thought the board does a terrific job. She reported 100 people had attended the 3rd Ward Town Hall meeting; asked 3rd Ward residents to sign up for the news announcement list. People can go the City's website, click on 3rd Ward and get a link on how to do that.

She spoke about Chuck Remen, who died suddenly on Friday. A lifelong resident, he once told her he had owned five different houses in the 3rd Ward. She noted he knew what was going on in the community and was committed to Evanston. He started the Foster Reading Program and was active in Rotary. She never saw him when he was not raising something of concern. He was the kind of citizen Evanston produces and it is hard to imagine Evanston without Chuck. She sent condolences to his wife Janet and his family.

4th Ward. Alderman Bernstein also extended condolences to Janet and the Remen family.

He congratulated the victorious ETHS Wild Kit girls track team that won their fourth consecutive state championship and 4th Ward resident Debbie Hillman on her environmental award.

He pointed out to the city manager, if the number of applications that were filled out improperly for the sculpture commission was true, that suggests some defect in the application and, to the extent that they can reconsider, he urged that be done and the application forms corrected.

He congratulated the 23rd graduating class of the Citizens Police Academy. The academy does an excellent job of teaching people about what police do. Alderman Hansen, who is an Assistant State's Attorney, helps with the criminal justice part of the program. He urged fellow Council members to go to the 12-week Police Academy program in the fall.

5th Ward. Alderman Holmes did a ride-along with the Evanston Police Department on Friday and encouraged other aldermen to do it. They visited all segments of the City. In several wards she saw groups of teenagers walking back and forth. She thought that youth don't have many places to go and hoped for dialogue on that subject.

She encouraged all to drive through the 5th Ward and look up to see the beautiful banners that say "my block, my yard, my ward, my community." CDBG funds paid for the banners and community people donated \$2,000 for the balance, which she appreciated.

She announced the next 5th Ward meeting would be Thursday, June 15, the third Thursday of the month. She asked if there was any way to reconsider the application of Ms. Zarbin-Byrne.

6th Ward. No report.

7th Ward. Alderman Tisdahl asked for a definitive answer to Ms. Zarbin-Byrne and if they could work with the Public Art Committee to make the applications more comprehensible than this one was.

She recalled a reference to outlaw trucks and busses from idling; House Bill 4782, on idling trucks, has Senator Jeff Schoenberg as one of the sponsors and prohibits idling by diesel-powered vehicles for more than 10 minutes within each hour. She stated Council may want to support this and tell Senator Schoenberg that Council concurs.

City Manager Carroll stated her position on the request regarding the art proposal. A second chance was allowed to 70 some applicants because there was an error or misunderstanding on what Mr. Corey had said. That was done via e-mail, and, even though there was no subject line, the e-mail had names. E-mails were sent to 70 people and two came back as undeliverable. Ms. Zarbin-Byrne's e-mail did not come back. Ms. Carroll felt she was given a second chance and that was why she was denied consideration. Many times applications come in after the deadline and some are not filled out properly. She did not want to waive a procedure that has been in place for a long time. If they make an exception, they open the door in the future every time somebody does not understand or follow through. She respected Ms. Zarbin-Byrne and offered to meet with her but she wanted to bring in the Public Art Committee. This is an administrative process not the decision of the Public Art Committee, which considers the projects that met the specifications. If Council wanted to overrule her decision, they could contact the Public Art Committee.

8th Ward. Alderman Rainey serves on the subcommittee of the Sherman Plaza Art Selection Committee; stated that more than 100 presentations have been reviewed and a second round has been completed; did not know how the Zarbin-Byrne project would fit into that.

She thanked Brummel Park Neighbors, who put on two carnivals a year in Brummel Park, completely citizen organized events. She thanked Elks Park for agreeing to take the Summer Lunch Program and was sure it would be successful.

She congratulated Debbie Hillman on her award and always listens to what she has to say; was proud of Steve Perkins, a constituent, who received an award, because he is one of the most dedicated community activists in the United States.

9th Ward. Alderman Hansen said a Neighborhood Watch group called SWEAT, which encompasses parts of the 2nd and 9th wards in the Madison, Monroe, Dewey, Florence areas, has lost the leadership of Jim Murray who moved. They are looking for leadership and will meet Thursday, June 25, 7:00 p.m. at Robert Crown Center. She invited all to come and discuss what can be done to keep the group going and hear police summer plans for the neighborhoods.

Mayor Morton, on behalf of the Council and City, extended condolences to the family of Chuck Remen, who was genuinely interested in Evanston. His death is a great loss to the community.

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 10:39 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.