

**CITY COUNCIL**

July 10, 2006

**ROLL CALL - PRESENT:**

	Alderman Bernstein	Alderman Rainey
	Alderman Holmes	Alderman Wollin
	Alderman Moran	Alderman Jean-Baptiste
A Quorum was present.	Alderman Tisdahl	Alderman Wynne

**NOT PRESENT AT  
ROLL CALL:**

Alderman Hansen

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, July 10, 2006, at 9:26 p.m. in the Council Chamber.

**ANNOUNCEMENTS:**

City Manager Julia Carroll announced that the Ethnic Arts Festival would be held Saturday and Sunday, July 15-16, from noon to 7:00 p.m. in Dawes Park along the lakefront.

Ms. Carroll reminded all that Evanston will partner with the Solid Waste Agency of Northern Cook County (SWANCC) to hold its first document destruction event Saturday, July 15, from 9:00-11:00 a.m., at the Civic Center parking lot, 2100 Ridge Ave. Residents may bring personal documents to be shredded in a safe environment.

Health & Human Services Director Jay Terry announced that Cook County residents may get their dogs micro-chipped and vaccinated for rabies at a low-cost clinic scheduled for Tuesday, July 11 from 10 a.m. to 3 p.m. at Pooch Park, 3220 W. Oakton St., Skokie. Evanston pet licenses will be available also.

Alderman Rainey asked that an event be held to micro-chip pet cats.

**Mayor Morton proclaimed  
July – Recreation and Parks Month  
July 15-22 – Gay Games Week**

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

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: IDOT Change Order #1 for traffic signal project; Resolution 49-R-06 – Application for SAFER Fire Grant; Ordinance 80-O-06 - Planned Development – 1881 Oak Ave; Ordinance 78-O-06 – Special Use for Type 2 Restaurant – Sherman Plaza and Ordinance 68-O-06 – Amends Tobacco License Distance. Seconded by Alderman Jean-Baptiste. Roll call. Voting aye – Bernstein, Holmes, Moran, Tisdahl, Rainey, Hansen, Wollin, Jean-Baptiste, Wynne. Voting nay –none. Motion carried (9-0).

**ITEMS APPROVED ON CONSENT AGENDA**

**MINUTES:**

\* Approval of Minutes of the Special City Council Meeting of June 19, 2006, and the Regular City Council Meeting of June 26, 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 July 6, 2006 and City of Evanston bills for the period ending July 11, 2006, authorized and charged to the proper accounts:



314 Callan Ave.

Mayor Morton asked that the following reappointment be confirmed:

<p>David Angelus 1930 Ridge Ave. For term ending July 15, 2008</p>	<p>9-1-1 Emergency Telephone System Board</p>
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\* APPROVED – CONSENT AGENDA

### REPORT OF THE STANDING COMMITTEES

#### ADMINISTRATION & PUBLIC WORKS:

Approval of IDOT Change Order #1, increasing the Hometowne Electric Inc., Ridge Avenue traffic signal project by \$877,958.88 from \$1,860,671.30 to \$2,738,630.18 to reactivate construction. Funding provided by CMAQ (\$474,317.76) and CIP (\$403,641.12).

Alderman Hansen moved that the last sentence be amended to read: “Funding provided by CMAQ and *MFT*.” Seconded by Alderman Rainey.

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

Alderman Hansen moved approval of IDOT Change Order #1 as amended. Seconded by Alderman Rainey.

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

Resolution 49-R-06 – Application for SAFER Fire Grant – Consideration of Resolution 49-R-06, which acknowledges the application for the “Staffing for Adequate Fire and Emergency Responses (SAFER) Grant.” The application provides for five years of funding at different levels.

Alderman Hansen moved approval of Resolution 49-R-06. Seconded by Alderman Jean-Baptiste.

Alderman Moran pointed out the underlying action is to increase the firefighting force by six positions, which had not been discussed by Council. This resolution is to try to gain grant funds that would, in part for a discreet period, fund those positions. He suggested they must be careful about an ever-growing percentage of the budget committed to personnel costs and they needed to seriously consider increasing personnel by six in *any* City department. If they got this grant, it would be easier to be less analytical about hiring these extra people. He would vote against it. Alderman Rainey pointed out this is an application for a grant, not a move to increase the number of firefighters and important to note that Council recently received a study (they have not publicly reviewed) that recommends that Fire Department staff be increased. If the grant is awarded, the City will receive about \$600,000 to add two firefighters to each shift. They don’t have the \$600,000 to decide whether or not to get the firefighters. The deadline for the grant was June 30. She urged they accept and support the application. The fire chief told her this matter would be discussed at the next Budget Committee meeting.

Ms. Carroll clarified that she authorized staff to apply for the grant. Due to a tight deadline they could not get it on the agenda in time for the application. There is no guarantee the City will get the funds and no requirement that they have to add people. She would take any new positions proposed to the Council, regardless of funding. Staff felt this was an opportunity they did not want to miss because it is only for this year. They don’t know if this opportunity will come next year after Council has made the decision to increase funding for the Fire Department. There was no pre-supposition that Council would approve something. Mayor Morton noted the grant would pay 90% the first year, 80% the second year, 50% the third year, 30% the fourth year and no funding the fifth year with the total funding capped at \$103,000 (per

firefighter). Ms. Carroll stated this program is similar to the Department of Justice grant for police officers from several years past. They will make a decision at budget time.

Alderman Tisdahl was somewhat unnerved to read Evanston needs six more firefighters but was happy somebody wanted to help pay for them. They can opt out, so she thought with the safeguards she could support the application. Mayor Morton asked if the grant pays for salaries and benefits. Fire Chief Berkowsky said the grant takes into consideration benefits but is based upon averaging salaries over the USA. Even though Evanston's salaries may be higher, it is capped at \$103,000 over a five-year period. Ms. Carroll explained if they have 90% the first year and the salary is \$45,000 it does not matter what the benefit package is because the dollars they fund will not cover both salary and benefits. It will cover a percentage of the salary. Alderman Holmes was concerned how they would pay for the staff after five years. She supported going after the grant, but had reservations about adding people they would have to pay for from City funds.

Roll call. Voting aye – Bernstein, Holmes, Tisdahl, Rainey, Hansen, Wollin, Jean-Baptiste, Wynne. Voting nay – Moran. Motion carried (8-1).

### **PLANNING & DEVELOPMENT:**

Ordinance 80-O-06 - Planned Development – 1881 Oak Ave. – Consideration of the Planned Development at 1881 Oak Ave., introduced June 26, 2006, a proposed 19-story, 165 residential unit building with a 247-space parking garage.

Alderman Wynne stated this was amended in committee and asked Ms. Jackson to read the amendments into the record.

Interim Zoning Administrator Arlova Jackson stated that on Page 3 of the ordinance, third WHEREAS clause the following was added: “the Planning and Development Committee considered the record of the Plan Commission on the amended application at its June 26, 2006 meeting and voted to recommend City Council approval of Ordinance 80-O-06, with modifications and referral back to the Committee for further consideration at its July 10, 2006 meeting: and” and in the next WHEREAS clause it stated, the Planning and Development Committee modified the record of the Plan Commission, adopted it as modified, and added “considered and adopted the traffic signal optimization and retiming analysis prepared by the City’s Traffic Engineers,” with the balance remaining the same.

On Page 5, Section 2 (6) add, “It will not cause undue traffic congestion in that it is located near existing commuter rail and public transit lines. All parking and loading facilities will be accessed from Oak Avenue and no curb cuts will be added along Emerson Street. The planned development will reduce potential vehicle traffic by locating vehicular access along the public way which has less pedestrian traffic. The City’s Traffic Analysis indicates that added left turns from Oak Avenue onto Emerson Street can be accommodated by adding extra green time to the east-west Emerson Street corridor, and by prohibiting parking on the north side of Emerson between Oak Avenue and Ridge Avenue during the afternoon peak hours. The long-range solution is to upgrade the Emerson Street signals.”

On Page 7, Section 6 (A) remains the same. (B) is changed to read: “That the applicant voluntarily agrees to make the following donations prior to issuance of a building permit. (1) \$165,000 which represents the sum of \$1,000 per each of the approved maximum 165 dwelling units to the Mayor’s Special Housing Fund, consistent with the policy of the *Comprehensive General Plan* to encourage proposals from the private sector that will maintain the supply of moderately priced housing both rental and owner-occupied. (2) \$35,000 to the City to fund existing or proposed City of Evanston Youth Job Training programs or to repaint the viaduct at the intersection of Emerson Street at Ridge Avenue, or to improve traffic flow along Emerson Street and Maple Avenue. (3) The applicant will have as a primary goal the employment of 25 Evanston residents, said residents without regard to sex, race or ethnicity, can be subcontractors or vendors to the development. The applicant will hire as many competent minority and/or women Evanston subcontractors, workers and residents as possible for the construction of the project. (4) The developer will incorporate the corner stones of the Emerson YMCA and Butler building into the plaza along Emerson Street.”

Alderman Wynne moved approval of the amendments. Seconded by Alderman Jean-Baptiste. Motion carried.  
Alderman Wynne moved approval of Ordinance 80-O-06 as amended. Seconded by Alderman Bernstein.

Roll call. Voting aye – Bernstein, Holmes, Tisdahl, Rainey, Hansen, Jean-Baptiste. Voting nay – Moran, Wollin, Wynne. Motion carried (6-3).

Ordinance 78-O-06 – Special Use for a Type 2 Restaurant – Sherman Plaza – Consideration of the Zoning Board of Appeals recommendation, introduced June 26, 2006, to approve a Special Use for a Type 2 restaurant, Cereality, at 1622 Sherman Ave., in Sherman Plaza.

Alderman Wynne moved approval of Ordinance 78-O-06 with amendments read into the record by Ms. Jackson. Seconded by Alderman Bernstein.

Ms. Jackson turned to Page 4 of Ordinance 78-O-06 to the new condition “(F) Cooking Appliances: The operator shall not use deep fryers, grills, ovens or other appliances that ventilate to the exterior of the building in or on the subject property.” Motion carried No nays.

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

Alderman Wynne announced a special Planning & Development Committee meeting the next evening devoted entirely to the Kendall project.

### **HUMAN SERVICES COMMITTEES**

Ordinance 68-O-06 – Amends Tobacco License Distance Requirements – Consideration of Ordinance 68-O-06, introduced June 26, 2006, which amends Section 3-16-5 of the City Code to prohibit tobacco sales within 250 feet of a school, childcare facility or other building used for educational/recreational purposes.

Alderman Jean-Baptiste moved approval of Ordinance 86-O-06. Seconded by Alderman Wynne.

Aldermen Rainey, Holmes, Bernstein, Tisdahl, Wynne, Wollin, Health & Human Services Director Terry, First Assistant Corporation Counsel Hill and Mayor Morton discussed the ordinance, history of tobacco ordinances involving minors, stores that sell tobacco products, grandfathering of stores, distances involved, staff recommendations and equal protection issues.

Alderman Jean-Baptiste moved to amend Section 1 to include the distance requirement of “150 feet in prohibiting the sale of tobacco products near middle school and high school buildings.”

Alderman Jean-Baptiste moved to refer this item back to the committee on July 17 to clarify language. Seconded by Alderman Moran. Motion carried. No nays.

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

**4th Ward.** Alderman Bernstein announced a Civic Center meeting on Thursday July 27 at 7:00 p.m. Ms. Carroll stated this meeting would include a closed session and meeting with the programming consultants to discuss Council’s vision for a new Civic Center and the public spaces Council will be involved with.

He thanked the Fourth of July Association for another wonderful celebration; noted Father Oldershaw has retired from St. Nick’s Church where he served this community well and continues to serve as a police chaplain.

He congratulated Council, the Parking Committee and Public Works Director David Jennings on the creation of the beautiful new Sherman Plaza self-park that was dedicated recently.

**5th Ward.** Alderman Holmes also thanked the Fourth of July Association; mentioned that Charlie Sheridan had allowed her to ride in the parade in his 1910 Model T Electric car. She commended staff on the new parking garage and urged

people to go to the 12th floor and see the views.

She invited all to visit Mason Park on Wednesday to see the new basketball program and support youth with their positive presence.

Alderman Holmes invited all to a 5<sup>th</sup> Ward meeting on Thursday, July 20 at 7:00 p.m. at Fleetwood-Jourdain Center.

**6th Ward.** No report.

**7th Ward.** Alderman Tisdahl thanked the Fourth of July Association for doing a wonderful job as always.

She announced the Flood & Pollution Control meeting for July was cancelled.

Alderman Tisdahl reported visiting Over the Rainbow and finding that several residents were interested in moving into the Sienna complex. She hoped in the future non-profits would reach out so that Evanston people have an opportunity to participate in the ownership program.

Mayor Morton noted that Over the Rainbow fulfilled its promise to the City. Another facility is being built in Waukegan and Palatine wants to have one.

**8th Ward.** Alderman Rainey announced a public hearing at the CDBG Committee meeting on Tuesday, July 18 at 7:30 p.m. The purpose will be to receive comments on the *Consolidated Plan* and *Annual Evaluation and Performance Report* for the past year.

**9th Ward.** No report.

**1st Ward.** Alderman Wollin announced two evening events during the Gay Games at Welsh-Ryan Arena on Tuesday, July 18 and Wednesday, July 19 with about 2,500 people expected to attend.

**2nd Ward.** Alderman Jean-Baptiste noted on July 17 the Budget Policy Committee is scheduled to start at 7:00 p.m. and Human Services Committee at 6:00 p.m. He thought the Human Services Committee could not be done in an hour. Ms. Carroll said they could start the Budget Policy Committee at 7:30 p.m. and Human Services Committee at 5:30 p.m.

He recalled activities at Greenwood/Fowler where a youth shot another youth and the community there has been dealing with large congregations of young men and women on the streets. As a result, 70 neighbors met with the police chief and problem-solving team. They organized and marched to show their presence in the neighborhood and shouted slogans such as "we want peace" so people heard them. The message was sent. A meeting was held last week, which had a significant staff presence that spoke about the youth initiative the City is undertaking. He was pleased to learn the City is bringing in a NU student who will interact directly with youth to address their issues and concerns. The presence of staff showed the community that there is real concern. Follow-up meetings have been scheduled where each adult will bring a youth. He thanked staff led by Assistant City Manager Judith Aiello for coming out; thought they may have a positive summer.

**3rd Ward.** Alderman Wynne thanked Alderman Jean-Baptiste for his report.

Mayor Morton made a reference to the Rules Committee to consider having aldermen seated when speaking because the sound is better.

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 10:37 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.