

**CITY COUNCIL**

August 14, 2006

**ROLL CALL - PRESENT:**

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

**ABSENT:**

Alderman Hansen

**PRESIDING:**

Mayor Lorraine H. Morton

The OFFICIAL REGULAR MEETING of the City Council was called to order by Mayor Morton on Monday, August 14, 2006, at 9:13 p.m. in the Council Chamber.

**ANNOUNCEMENTS:**

Public Works Director David Jennings announced that over the Labor Day week, refuse, recycling and yard waste collection would be one day later than the usual schedule.

Human Relations Executive Director Paula Haynes invited all to the CommUNITY Picnic Sunday, August 27 from noon to 5:00 p.m. in Ingraham Park (behind the Civic Center). The picnic is co-sponsored with the Police Department to celebrate Evanston's diversity and is the kick-off for Unity Month in September. There will be food, music and games.

Mayor Morton noted Evanston's Sister City is Belize City in Central America. Over the weekend the Belize City Deputy Mayor and a Council member visited here and thanked Evanston for all they have done for them through the years. A reception was held Friday evening and on Saturday, a Belize Day in the Park picnic was held. Many more people came than in the past. She thanked Deputy Chief Sam Hunter, who is staff to this committee, for his efforts.

**Mayor Morton Proclaimed August "Breastfeeding Promotion Month"**

**CITIZEN COMMENT:**

Rachel Sobel, 140 Custer Ave., spoke on behalf of Candace Hill and the Evanston Chapter of the La Leche League. An Evanston parent, breast-feeding counselor and veteran nursing mother, she thanked the City for recognizing Breastfeeding Promotion Month. The State of Illinois and many other states and nations recognize that when families are encouraged to breast-feed their babies, healthier communities are the result. The two hospitals have trained lactation specialists as has the City's Health Department. Local La Leche League volunteers have hosted mother and support groups here for decades. Recently the 50<sup>th</sup> anniversary of the founding of the La Leche League was observed and supported by Evanston businesses.

Don Schollenberger, 1864 Sherman Ave., member of the North Shore Barrington Board of Realtors, spoke about the transfer tax resolution. He did not envy Council members in trying to achieve affordable housing. It is a problem that affects every community and unfortunately there is no good answer. Unlike the tear down tax passed recently, which only affects certain people, this affects single-family homeowners and condominiums owners alike. An increase in the transfer tax can cause pressure on sellers to list their property at higher prices, which also affects potential buyers. He spoke of how this would affect those selling homes at \$300,000 or less. Many people in this price range are elderly who may be going into a senior home and need every cent to cover the cost. He knows others have had to deal with this in their families. Many in the real estate industry deal with this regularly. This is a repressive tax against these people in particular. Given increased Evanston property values, one possibility is to take a portion of the current transfer tax and use it for affordable housing. He urged them to vote no.

Gene Bell, 944 Grey Ave., is a commissioner of the Fellowship of African-American Men (FAAM) Basketball Program. He noted FAAM has served the Evanston community for 38 years with a youth basketball program. In 2008, FAAM will have existed for 40 years and is planning a celebration. An organization that has provided continuous service to the community for 40 years is no small achievement. He asked that FAAM be recognized throughout the community by putting its logo on the 2008 City vehicle sticker. FAAM grew from 4 teams and 30 kids to 24 teams, 14 boy teams and 8 girl teams plus 2 cheerleading squads. There are more than 80 volunteers and 400 students. He thanked Council for considering this request.

Janet Webb, 9213 East Prairie, Skokie, member of FAAM's executive committee, echoed FAAM's founder Gene Bell's request. In 1968 Gene Bell, Bill Logan, Andrew Rodin, Howie Barkstell and Frank Sanders decided to start a youth basketball program due to budget cuts at District 65. Who knew what their dream would become. FAAM is housed at Fleetwood-Jourdain Community Center with expansion games played at Haven and Chute middle schools. They bring together students and families from every corner of Evanston to participate in what has become known as "the best game in town." In 2008 FAAM will reach a milestone – 40 years of continuous volunteer service to the Evanston community. It would be a tremendous morale boost for their organization to be featured on the Evanston city sticker. They will send a letter to the City Manager with this request but first wanted to be on the record in making this request.

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

Alderman Moran moved Council approval of the Consent Agenda with these exceptions: Ordinance 89-O-06 – Vacate Portion of Alley – 415 Howard St.; Ordinance 85-O-06 - Planned Development & Map Amendment – 2408 Orrington Ave.; Appeal of Preservation Commission Decision – 2408 Orrington Ave.; Youth Engagement Program and Resolution 51-R-06 – Real Estate Transfer Tax Increase Referendum. Seconded by Alderman Holmes. Roll call. Voting aye – Moran, Tisdahl, Rainey, Wollin, Jean-Baptiste, Wynne, Bernstein, Holmes. Voting nay –none. Motion carried (8-0).

**ITEMS APPROVED ON CONSENT AGENDA**

**MINUTES:**

\* Approval of Minutes of the Regular City Council Meeting of July 24, 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 August 10, 2006 and City of Evanston bills for the period ending August 15, 2006, authorized and charged to the proper accounts:

City of Evanston payroll (through 07/27/06)	\$2,368,035.20
City of Evanston payroll (through 08/10/06)	\$2,617,891.01
City of Evanston bills (through 08/15/06)	\$4,095,889.65

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

\* Approval of the contract with Civiltech Engineering Inc. (30 N LaSalle St, Chicago) in the amount of \$457,566 for engineering design services for the Ridge Avenue Roadway Improvement Project. Funded by the CIP. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the contract with E-Town Tennis (1801 Junke Dr, Northbrook) to conduct the City of Evanston Tennis Program for the years 2006-2009. The budgeted amount for FY 2006-07 is \$93,500. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of the contract for professional services with Tischler Bise, Inc. (4701 Sangamore Rd, Bethesda, MD) for impact fee development in an amount not to exceed \$60,000. Funded by the Water Fund and General Fund Contingency (Studies Account). \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Approval of five-year Street Improvement Plan (FY 2007 to FY 2011). \* APPROVED - CONSENT AGENDA

MOTION AND ROLL CALL (8-0)

\* Approval of a Change Order #1 with Kings Point General Cement, Inc (920 County Line Rd, Bensenville) for the 2006 alley paving project, increasing the contract amount by \$166,175.50 from \$1,177,656 to \$1,343,831.50. Funded by GO Bonds, CDBG and Special Assessment Funds. \* APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Acceptance of the Judicial Advisory Council, B.A.D.G.E. Program Grant Award – Accept the Judicial Advisory Council, B.A.D.G.E. Program grant award in the amount of \$12,000 supplementing the Youth Outreach Program sponsored by the Police Department for FY 2005-06. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Acceptance of the Justice Assistance Grant Award – Accept the FY 2005-06 Local Law Enforcement Grant in the amount of \$35,418 to the Police Department supplementing the cost of the Summer Operational Plan from the federal government. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 52-R-06 – Lease for East Apartment of the Municipal Service Center, 2020 Asbury – Consideration of proposed Resolution 52-R-06, which authorizes the City Manager to enter into a one-year lease agreement with John Sturtevant for the east apartment in the Municipal Service Center. \* APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Resolution 53-R-06 – Authorizing the City Manager to Execute a Permit Agreement with T-Mobile Central for an Antenna at the Civic Center – Consideration of Resolution 53-R-06, which authorizes the City Manager to enter into a permit agreement with T-Mobile Central for antenna attachment on the tower and equipment space in the attic of the Civic Center. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 54-R-06 – Noyes Lease Renewal – Next Theatre Company – Consideration of Resolution 54-R-06, which authorizes the City Manager to execute an 18-month lease agreement with Next Theatre Company for use of the Noyes Cultural Arts Center Theater. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Resolution 55-R-06 – Authorizing the City Manager to Enter into a Maintenance Agreement for the Sherman Plaza Redevelopment Project with Sherman Plaza Partners and the Sherman Plaza Condominium Association – Consideration of Resolution 55-R-06, which authorizes the City Manager to enter into a maintenance agreement for the Sherman Plaza Redevelopment Project with Sherman Plaza Partners and the Sherman Plaza Condominium Association for a cost not-to-exceed \$150,000. Funded by TIF, parking and private funds. \* APPROVED - CONSENT AGENDA MOTION AND ROLL CALL (8-0)

\* Ordinance 79-O-06 – Easement Agreement with Howard Station, JV, LLC – Consideration of proposed Ordinance 79-O-06, which authorizes the City Manager to execute an easement agreement with Howard Station, JV, LLC, for a building Canopy at 415 Howard St. \* MARKED INTRODUCED - CONSENT AGENDA

Alderman Jean-Baptiste moved to Suspend the Rules to adopt an ordinance at the same meeting in which it was introduced. Seconded by Alderman Wynne. Motion carried unanimously.

Alderman Jean-Baptiste moved adoption of Ordinance 79-O-06. Seconded by Alderman Wynne. Roll call. Voting aye – Moran, Tisdahl, Rainey, Wollin, Jean-Baptiste, Wynne, Bernstein, Holmes. Voting nay – none. Motion carried (8-0).

\* Ordinance 83-O-06 – Amend Title 10 - Four Way Stop at Dempster St/Maple Ave – Consideration of proposed Ordinance 83-O-06, introduced July 24, 2006, by which City Council would amend

Section 10-11-5, Schedule V(D) of the City Code to establish a four-way stop at Dempster St. and Maple Ave. \* ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Ordinance 84-O-06 – Amend Title 3 – Increase number of Class Y Liquor Licenses – Consideration of proposed Ordinance 84-O-06, introduced July 24, 2006, which amends Section 3-5-6(Y) of the City Code to increase the number of Class Y liquor licenses from 0 to 1 due to the creation of Vine Harmony, Ltd., dba Winestyles, located at 1741 Sherman Ave. \* ADOPTED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

### **PLANNING & DEVELOPMENT:**

\* Ordinance 86-O-06 – Planned Development – 2400 Main St. (Fifth Third Bank) – Consideration of a Plan Commission recommendation to approve a planned development for a Fifth Third Bank with a drive-thru at 2400 Main St. \* MARKED INTRODUCED - CONSENT AGENDA

\* Ordinance 87-O-06 – Zoning Ordinance Text Amendment – Solar Panels – Consideration of a Plan Commission recommendation to amend Chapter 4 “General Provisions,” Section 6-4-6-3 “Allowable Accessory Uses and Structures (Detached from Principal Structure),” Chapter 18 “Definitions” 6-4-6-3 and the creation of Section 6-4-6-8 to address the location, size and appearance of solar collectors. \* MARKED INTRODUCED - CONSENT AGENDA

\* Appeal of the Preservation Commission’s Denial of a Certificate of Appropriateness for the Demolition of the Evanston Landmark at 1228 Elmwood Ave. – Consideration of the application appealing the Preservation Commission’s denial of a Certificate of Appropriateness (COA) for demolition of the Evanston Landmark at 1218 Elmwood Ave. \* APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Sidewalk Cafes for Type 1 and Type 2 Restaurants – Consideration of requests for sidewalk cafes for S-Paragon (503 Main St.) and Argo Tea (802 Davis St.) restaurants. \* APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Ordinance 90-O-06 – New Construction Moratorium on Central St. from Ashland Ave. to Hartrey Ave. – Consideration of an Aldermanic request to impose a moratorium on all new construction for a period of 180 days along Central St., from Ashland to Hartrey \* MARKED INTRODUCED - CONSENT AGENDA

Alderman Wynne moved to amend the ordinance to extend the location of the moratorium from Ashland Ave to 2200 Central St. Seconded by Alderman Moran. Motion carried unanimously.

\* Planned Development Time Extension – 413-21 Howard St. (Bristol Chicago) – Consideration of the request from Bristol Chicago Development LLC for an extension on the construction schedule for the planned development at 413-21 Howard St. for 221 apartments in a building that is 170 feet to the top of the roof. This request for an additional three-month extension would end December 8, 2006. \* APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

### **HUMAN SERVICES COMMITTEE:**

\* Approval of July 2006 Township Monthly Bills – Consideration of a recommendation to approve the Township bills, payroll and medical payments for the month of July 2006 in the amount of \$90,113.18. \* APPROVED - CONSENT AGENDA MOTION & ROLL CALL (8-0)

\* Ordinance 68-O-06 – Tobacco License Distance Amendment – Consideration of Ordinance 68-O-06, introduced June 26, 2006, which amends Section 3-16-05 of the City Code to prohibit the sale of tobacco products within 150 feet of a middle school or high school. \* ADOPTED - CONSENT

AGENDA MOTION & ROLL CALL (8-0)**APPOINTMENTS**

Mayor Morton asked that the following reappointment be introduced:

Kathy Hadden	Commission on Aging
2300 Sherman Ave.	

Mayor Morton asked that the following appointment be confirmed:

Betsy L. Katten	Human Relations Commission
2650 Eastwood Ave.	
For terming ending August 30, 2009	

\* APPROVED – CONSENT AGENDA

**REPORT OF THE STANDING COMMITTEES****ADMINISTRATION & PUBLIC WORKS:**

Ordinance 89-O-06 – Vacating a Portion of the East-West Alley North of 415 Howard St. to Howard Station, JV, LLC – Consideration of proposed Ordinance 89-O-06, which vacates a portion of the east-west alley north of 415 Howard St. to Howard Station, JV, LLC, a Delaware Limited Liability Corporation, and accepts the dedication by Howard Station, JV, LLC, of a north-south alley east of 415 Howard St.

Alderman Jean-Baptiste moved the ordinance be amended, on page three, to change the date of August 31, 2006 to September 30, 2006. Seconded by Alderman Rainey. Motion carried unanimously.

Alderman Jean-Baptiste moved a second amendment on page four, which substitutes a new Section 3 and renumbers the current Section 3 to Section 4 and Section 4 to Section 5 and Section 5 to Section 6. The new Section 3: “That the dedicated alley described herein, the north-south alley abutting the western portion of Howard Station’s premises, along with the remaining unvacated portion of the partially vacated east-west alley, shall remain publicly dedicated alleys, available for ingress and egress by both the Chicago Transit Authority and Howard Station, and each of their successors and assigns, and any future vacation of said alleys by the City shall require the written approval by the Chicago Transit Authority or its successors and assigns.” Seconded by Alderman Rainey. Motion carried unanimously.

Alderman Jean-Baptiste asked that Ordinance 89-O-06, as amended, be marked introduced.

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

Alderman Jean-Baptiste moved adoption of Ordinance 89-O-06 as amended. Seconded by Alderman Wynne.

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

**PLANNING & DEVELOPMENT:**

Ordinance 85-O-06 - Planned Development & Map Amendment – 2408 Orrington Ave. (Kendall College Property) – Consideration of an amended Planned Development and Map Amendment,

introduced July 24, 2006, for a proposed development consisting of 20 single-family detached homes and rezoning of the site from U1 to R1at Ave.

Appeal of the Preservation Commission Decision – 2408 Orrington, Kendall College – Consideration of the Appeal in support of granting a Certificate of Appropriateness for the demolition of structures at 2408 Orrington, 2344 Orrington, 2340 Orrington, 725 Colfax, 730 Lincoln, 735 Colfax and 2351 Sherman. City Council accepted consideration of the appeal on April 25, 2005, and stayed final action at the request of the applicant pending completion of the Plan Commission’s review of the amended application for planned development.

Alderman Wynne reported that these two items were held in committee.

**HUMAN SERVICES COMMITTEE:**

Youth Engagement Program - Consideration of the program elements for a Youth Engagement Program as recommended by the Human Services Committee.

Alderman Jean-Baptiste moved approval. Seconded by Alderman Wynne.

Alderman Rainey commented that though this program is in its initial stage, she had a hard time with the City making extra efforts to provide recreation and entertainment for 24 year olds as youth and parental attention for 24 year olds. While they want to provide recreation and entertainment for youth, she was concerned about problems at Oakton School. She heard that there were several classes at Oakton School this year where not one African-American child passed and were required to go to summer school. Her concern was that the focus should be on helping people to read and write as opposed to recreational activities. Her concern was about younger kids. This program addresses older youth. She stated that people are leaving Oakton School and the reason is that students are not succeeding there. She was not torpedoing the program but asked them to broaden their focus because 8, 9 and 10-year-old kids are out on the streets of south Evanston at 10 and 11 o’clock at night. That should not be. She saw no emphasis on parental responsibility in this program. She asked the Human Services Committee what happened to the \$500 fine for a curfew violation ordinance. She urged the committee to broaden its focus. She asked why they are worried about providing recreation to persons of 20, 21, to 24 years of age when there are children in grade school who cannot read. She will meet with the youth specialist and people in her community the next evening.

Alderman Jean-Baptiste said Rainey’s concerns were well taken but it was somewhat misleading to call this a recreational proposal. The program focuses on 16-24 year-old persons involving violence and safety, jobs, job skills, social and human services. He agreed that the focus needs to be enlarged and that there is a crisis in the community when youth cannot read or write (cannot be educated). In regard to African-American kids, he felt they need to shatter the myths that are perpetuated by the educational gap that has been tolerated for many years. He thought the school system is in crisis and failing and that the City cannot substitute for the task and obligation that the schools have. He has been concerned about the entire community raising these hard issues about education. The criticism ought to be raised to the school districts. He is intolerant of the notion of educational failure and sees the institutions as failing, not the kids, but also demands that parents step up and do what they should. This proposal seeks to address a number of issues including crime. How do they redirect young people into more productive practices. He agreed that 20, 21 to 24 years old seems to be old for them to provide guidance, but the reality is, if they don’t engage in that process, eventually the Police Department will engage with many in enforcement. They are trying to bring many resources to the table to be as effective as possible. This is not a final plan but a work in progress. When they begin to implement they will be able to test what works. Through a grant, the Police Department has two individuals working on youth and it isn’t enough. Chaos continues in certain areas of the City. He called this a beginning and they need to take the criticisms and move the process forward. Right now they have nothing but enforcement for that age group from which much crime is perpetuated. Alderman Wollin noted that we are in an age of prolonged adolescence and it takes youth longer to grow up than when she was young. She pointed out that Oakton College took an entire page in the *Chicago Tribune* recently that listed every vocational and career program they offer. There is a new technology pavilion in Skokie. This is Evanston’s community college for which we pay taxes. There are wonderful career programs. She thought these programs were more important than just recreation. Students have to develop skills so that they can go out and get well-paying jobs. There is a step

program for people whose parents never went to college to counsel the kids through the college process. There are free tutorial and remedial programs open to anybody. This community has to use some of these resources. There should be more reference to the community college in the program. As a teacher, she stated those that don't read or write are doomed to failure. Some students already have children and she would like for them to be able to support their children and have jobs in the community that contributed toward their education. She understood Alderman Rainey's point; noted 85% of Americans graduate from high school. She thought extra help was needed for the first two years after high school.

Alderman Rainey agreed with Alderman Wollin and did not want to see basketball replacing what Wollin had suggested. She raised the issue not because the City can help at Oakton School, but that this problem is raised to the level of public awareness. The mentality among parents of children in some schools is interesting. For some reason their concerns don't seem to reach the school board. When Kendall neighbors are upset about something, they come and tell Council and come every week. The solution at the grade school is that kids who do well leave. It is the failure of the schools and, to a large extent the parents, that causes the need for this youth initiative. If they don't start dealing with the problem when it starts there will be an unending period when they will have to deal with 20 year olds who come out of failing situations because they were never dealt with in the grade schools. She wants it to be known to Oakton School, Superintendent Murphy and the District 65 School Board, that the alderman of the ward where many of these students live is appalled and concerned. She does not see the youth initiative addressing these problems. She hoped the Human Services Committee deals with this and especially the City-School Liaison Committee.

Mayor Morton wanted to see data from Oakton School on how many students drop out and if they are from Evanston. She urged caution because both school districts have school boards. Remarks that are critical of education are a big mistake. If they were to get test results, she thought the remarks would be quite different about children in District 65 schools. When there are derogatory comments about schools, real estate people get concerned because many people come to Evanston for the public school system. She urged that data be brought to the City-School Liaison Committee.

Alderman Jean-Baptiste said all the superintendents have inherited the achievement gap in the public schools and passed it on. People have not screamed loudly enough to bring attention to it. He acknowledged that both superintendents have worked long and hard on this. Dr. Alson has a national reputation for working on minority achievement. Hardy Murphy has been experimenting with many approaches to move the process forward. The new superintendent of District 202 said his priority was "to close the gap." He noted through the City-Liaison Committee they have pushed District 202 to strengthen the vocational component to give kids who are not going to college, an alternative way to make a living. Philosophically, they need to consider what the pre-schools are doing and need broader discussions about what is possible for young children, what ought to be taught and do they prepare them to go through the process. If children don't learn to read or write, when they get subject matter that becomes more complex, they drop out. Studies have shown that at the fourth grade level their attention is gone if they cannot keep up with the work. It is not a question of saying that the current leaders are not doing the best they can. It is reflecting on it and saying we have a problem. That is why they are grappling with the whole youth initiative effort. It is to raise the issue of whether they are doing all they can do. He thought the proposal is a beginning of trying to deal with youth; have the youth employment program year round and to make sure kids are exposed to more options and that recreation programs are responsive to all, because now it is mostly pay to play. He urged them to approve the Youth Engagement Program and that it be reevaluated as they go along.

Alderman Rainey did not want the fact that kids in south Evanston are having problems to be a secret; wants it to be public. There was no criticism of any school board or school superintendent. It is a fact and until they accept the facts they cannot move onto a solution. She wants to look at the problem because of what it is doing to the community and the neighborhoods. It is also a real estate problem. She wants the schools in south Evanston to shine. When children are failing, they need to look at it. Just because they serve on the Council does not mean they aren't members of the community. Her concern was that people were leaving Oakton School to attend private schools and she supported the Youth Initiative Program.

Motion carried unanimously.

Mayor Morton noted a request on the bills list for a car allowance from the Township Assessor. She and Council members do not receive car allowances and asked about that. Alderman Rainey objected to payment of \$400 for a Rotary Club membership for the Township Supervisor. Alderman Jean-Baptiste did not think trustees have jurisdiction over

spending, only over the budget. First Assistant Corporation Counsel Herb Hill said an elected official's salary cannot be increased during his/her term of office. He will look into these matters and report to the Human Services Committee.

**OTHER COMMITTEES:**

Resolution 51-R-06 – Real Estate Transfer Tax Increase Referendum – Consideration of Resolution 51-R-06, which instructs the City Clerk to place on the November 7, 2006 ballot a referendum asking whether or not the City of Evanston should increase its Real Estate Transfer Tax from \$5.00 to \$6.00 per \$1,000 of the sales price for the purpose of funding affordable housing in Evanston.

Alderman Bernstein moved approval of Resolution 51-R-06. Seconded by Alderman Rainey.

Mr. Hill said this material was to be presented at a recent Rules Committee meeting that was cancelled. Based upon statutory requirements and the Council's meeting schedule for this matter to be placed on the November 7 ballot, Council must act on it that evening. The requirement for newspaper publication and notice to the public has been met. This meeting is appropriate and within the time limits of the statute. The form of the question is proscribed in the statute to increase an existing transfer tax (with no discretion in its wording) and the only requirement is to plug in the blanks which are what the tax increase will be and the purpose of the tax. Several months ago, the Rules Committee unanimously voted to increase the tax by 20% and for the funds generated to be used for affordable housing. The Council has three versions of the question before them to establish the tax. One version would have the funds go into the Mayor's Special Housing Fund. This fund while successful has provided extensive affordable housing over 20 years but the legislative mandate for it is not clear. A second possibility is to place the funds into a recently established fund, the Affordable Demolition Housing Tax Fund, but it has no track record like the Mayor's Fund that reaches families with 80% of the median income. The third possibility is to create a definition of affordability and provide in the tax increase ordinance that the fund will go to an affordable housing fund. Affordable housing as defined in the ordinance that provides for both low and moderate income housing. The demolition tax ordinance applies only to low income families.

Alderman Rainey spoke about the concept of the referendum. She noted for years Council has entertained advocates who say that Evanston does not have enough affordable housing with many suggestions to require developers to put in affordable housing or other ideas that involve using other peoples' money. She felt this would be the most reasonable way to get people in the community to put their money where their mouth is. Instead of focusing on developers, this way the entire community could contribute. If affordable housing is an important principle, then everybody should get involved. The senior citizen with a \$300,000 home would pay an additional \$300. This past year, if Evanston had this provision, they would have generated about \$1 million. The last development Council approved, Carroll Properties, will generate \$165,000, whereas this would generate about \$1 million annually just by adding \$1 to the transfer tax. The Council is not going to do this. This will be submitted to the community and the people who will pay this dollar will vote on it. This referendum will be an opportunity for people to support affordable housing and for advocates for affordable housing to provide an education to those who haven't paid much attention to this issue. It will be an opportunity for Council to find out where this community really stands on affordable housing. Do people only favor it when somebody else pays? Or do they favor it based upon principle. She encouraged Council to put this on the ballot and let those who will pay for it tell how they feel about it. She favored funds generated from this provision, if it passes, be spent toward a subsidy of purchase of homes on the market by low and moderate income people. Currently there are at least 30 condominiums and homes for sale in Evanston under \$300,000. So the money will go back into the homes that are paying. There are homes that low and moderate income people could afford if they were subsidized. She urged them to make that happen.

Alderman Moran said that Option B may be the best. He would recast the question in a slightly different way. In the Affordable Housing Demolition Tax Fund, its purpose is "to provide a source of funding for the creation, maintenance, and improvement of safe and decent affordable housing in the city of Evanston in order to enhance preservation and maintenance of the city's cultural and economic diversity." He suggested that phrase be the capstone of what they ask in the referendum. Then take the sentence: "The revenue from the increase is to be deposited in the Affordable Housing Demolition Tax Fund, in order to provide" and finish with the sentence he quoted. One other possibility would be to add as defined in Section 4-22-2 of the Evanston Code. He thought the C option was too long and describes the program. Mr. Hill said that what Alderman Moran suggested was clear and urged they adopt that language. Alderman Moran moved



the referendum question. Seconded by Alderman Bernstein.

Alderman Rainey thought the question was clear but that most folks don't know what the demolition tax fund is and might think it was a fund to demolish affordable housing. She suggested they call this the Affordable Housing Tax Fund into which they contribute demolition tax money. Mr. Hill said they could make this change at the next Council meeting.

Community Development Director James Wolinski gave the income level for those who could be helped by this action. For a family of four 80% of the median income is \$59,600. Currently, people at that level can use Home Funds and Affordable Housing Demolition Tax Funds. For Evanstonians at 100% of median income, the amount would be \$72,400 with no subsidies available at that level. In response to Mayor Morton, the First Time Home Buyers Program participants can make 100% of the median income. The maximum they can help with HUD funds is 80% of median income.

Alderman Bernstein asked if they could amend the title to Affordable Housing Tax Fund. Mr. Hill said the fund must be defined and in place before the election November 7. The Council will have an opportunity, after September 5 when the referendum question must be at Cook County, to clarify what is meant by affordable housing. Mr. Hill stated they must have a guideline to whom this applies. This is a binding referendum. They must decide at the next meeting to whom this applies – persons at 80% of median income or 100% of median income. Alderman Wynne moved that the word "demolition" be removed from the title of the fund to the Affordable Housing Tax Fund. Seconded by Alderman Rainey. Motion carried unanimously.

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

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

**1<sup>st</sup> Ward.** Alderman Wollin reminded people that this coming Saturday is the beginning of the installation of the new Church Street viaduct and it would continue the following weekend. She asked residents to be patient.

**2<sup>nd</sup> Ward.** Alderman Jean-Baptiste made a reference to the City Manager to look into placing the FAAM logo on the 2008 vehicle sticker.

**4<sup>th</sup> Ward.** Alderman Bernstein noted the passing of Dolly Halstrom who was a very special person and sent condolences to her son Gordon.

He reported that he and his daughter attended the Thursday dance program. There were hundreds of people and it was lots of fun. He thanked the Recreation Department, Lois Roewade and Jim Parks, plus Ira Golan who suggested it.

**5<sup>th</sup> Ward.** Alderman Holmes invited all to the 5<sup>th</sup> Ward regular meeting at 6:00 p.m. The Police Department will be present at 7:00 p.m. She invited all to Twiggs Park on August 22 for the Starlight Concert when the Ethnic Heritage Ensemble will perform at 6:30 p.m. and on August 26<sup>th</sup> for the Evanston North Shore Community Mass Choir, an annual back-to-school event which starts at 1:00 p.m. She announced there are two more chances to see *Not Be Seen* at Noyes Cultural Arts Center, presented by the Fleetwood-Jourdain Theatre.

At 10:44 p.m., Alderman Bernstein moved that Council convene into Closed Session for the purpose of discussing matters related to collective bargaining and minutes pursuant to 5 Illinois Compiled Statutes 1202 (c ) (2) and (21). Seconded by Alderman Wynne.

2. All meetings of public bodies shall be public meetings except for the following:
  - (2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.
  - (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 –Moran, Tisdahl, Rainey, Wollin, Jean-Baptiste, Wynne, Bernstein, Holmes. Voting nay –none. Motion carried (8-0).

At 10:49 p.m. Alderman Bernstein moved that Council reconvene into open session. Seconded by Alderman Tisdahl. Motion carried unanimously. The Aldermanic Library door was opened so Council could vote on an Agenda Addendum.

Alderman Wynne moved approval of the Contract with Teamsters Local 741. Seconded by Alderman Jean-Baptiste.

Approval of Contract with Teamsters – Consideration of approval of the three-year collective bargaining agreement between the City of Evanston and Teamsters, Local 741, effective March 1, 2006 through February 28, 2009.

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

There being no further business to come before the Council, Mayor Morton asked for a motion to adjourn and the Council so moved at 10:50 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.