

## CITY COUNCIL

Date: Monday January 22<sup>nd</sup> 2007

Observer: Betty Papangelis

Present: All aldermen present, City Manager, City Clerk, All Department Heads  
Judy Aiello and Rolanda Russell, Asst.City Managers, and Herb Hill, City Attorney

Media: Bob Seidenberg of the Evanston Review, Bill Smith of the RoundTable,  
Students from the Daily Northwestern.

Citizens: The City chamber was full, some from the Central Street Condo issue,  
most for a public hearing on the Evmark plan.

The Meeting started at 8:50pm.

Two announcements were made: The first was about the "Partnering To Fight Crime" on February 9, 9 till noon at the High School. The second was the famous cellist, Yo Yo Ma, was at the Music Institute of Chicago, here in Evanston, giving a master class for children.

The Mayor read her veto message of the Inclusionary Housing Ordinance, which she considered impossible to administer in its present form. She stated her continuing and total commitment to affordable housing for Evanston, and suggested that alternate plans had to be found, such as possibly a developer impact fee in situations of 15 or more units. (Attached as an addendum to this report.)

Public Hearing on Special Services Area # 4.

This public hearing had been scheduled for this evening, but Herb Hill, City Counsel, asked for a postponement because there had been some problems on the distribution of the notices. The Council voted to postpone until the next meeting, but with Alderman Rainey's urging, it was decided that citizens who had come this evening to speak would be heard.

Herb Hill explained that the burden of objecting to the Evmark plan (extending the geographical boundaries, and increasing the taxes in this Special Services Area # 4 – downtown Evanston) falls on the property owners and the electors (voters) in the area. 51% of 1518 electors, and 51% of 1212 property owners are needed to defeat the proposal. About 15 – 18 citizens spoke for and against this plan (mostly against).

The issue: Those in favor spoke to the need for funds to promote downtown Evanston, and keep it the viable dynamic Town Center it is currently; those against spoke to the unfairness of taxing a small group of citizens for the development of a downtown that benefited all the citizens of Evanston.

The "public hearing" ended at 10:15. It will be rescheduled for the next Council Meeting.

Alderman Eb Moran presented these A & P W items:

Approval of the 1/6/07 minutes, Approval of the City payroll, and bills. A YARD WASTE STICKER PROGRAM was passed for introduction, also introduced was a Sanitation Service Charge. Both of these proposed ordinances were approved 7 – 2 for introduction, with Aldermen Bernstein and Rainey voting NAY.

Alderman Jean Baptiste presented the Planning and Development items:

The Planned development on 1700 –1722 Central Street was returned to P & D.  
Appeal of Denial for demolition at 1722 Central Street is being held in committee.  
The West Side Master plan will be discussed at a Special P & D meeting on January 29<sup>th</sup> at 6:15 p.m.  
The special use for a Dog Care and Training Center at 1908 Greenwood was approved.  
A major variation request for a multi family residential use at 800 Brummel was approved.

There was no report from the Human Services Committee

Call of the Wards

Alderman Jean Baptiste, 2<sup>nd</sup> ward, expressed condolences to Denise Martin, for the loss of her husband. He also spoke to his disappointment at the Mayor's veto, and pledged to work on alternative plans for affordable housing.

Alderman Bernstein, 4<sup>th</sup> ward, congratulated the Chicago Bears on their Sunday win, and expressed regret on the resignation of Robin Schneiderman Pratt from the Housing Commission.

Alderman Moran expressed congratulations to Jared Davis, a friend of his son's, on his appointment to the Parking Committee. He also commented on the remarkable vita of Mr. Harland Oates, and felt we were indeed fortunate to have him on the Ladd Arboretum Committee. He also expressed his profound disappointment in the Mayor's veto, and said the Council must find the ways to move forward on affordable housing.

Alderman Tisdahl gave thanks to the Police Department for their presentation at her ward meeting recently.

Alderman Rainey commented that among the elected officials – including the Mayor - the vote on the inclusionary housing ordinance would be 5 – 5. She also felt it was hypocritical to be concerned about the inclusionary housing, and at the same time proposing fees for yard waste and garbage pick-up.

Alderman Wolin, 1<sup>rd</sup> ward, asked for a referral back to P & D Committee for the development of a legally binding ordinance that would accomplish affordable housing units. "If we need to start over again, we will". She reminded Council of the Youth Summit Meeting on February 6<sup>th</sup> at 7 o'clock. This will be a meeting to plan ways for youth to become more involved.

Alderman Holmes, 5<sup>th</sup> ward, announced the "Partnering for a Safer Evanston" meeting on February 3<sup>rd</sup>, 9 – 12 noon at ETHS.

The Council moved to go into Executive Session at 10:50 p.m.

## ADDENDUM TO REPORT

### VETO OF ORDINANCE 115-0-06

ON OCTOBER 23, 2006, THE COUNCIL PASSED AN ORDINANCE, 27-0-06, OF WHICH THERE ARE LEGAL CONCERNS. FORTUNATELY, THE COUNCIL SET A 90 DAY PERIOD IN WHICH TO ALLOW FURTHER DISCUSSION AND MAKE CHANGES. FOLLOWING, ORDINANCE 115-0-06 WAS CRAFTED FOR COUNCIL APPROVAL. TO ASSIST DELIBERATIONS, A HIGHLY RECOGNIZED CONSULTANT FIRM, VALERIE S. KRETCHMER ASSOCIATES, WAS HIRED TO EVALUATE THE PROPOSED ORDINANCE "115-0-06 AMENDING TITLE 5, CHAPTER 7 OF THE CITY CODE, THE INCLUSIONARY HOUSING ORDINANCE".

THE CONSULTANT'S REPORT WAS TO EVALUATE THE POTENTIAL IMPACT OF REQUIRING 30% ON SITE AFFORDABLE CONDO HOUSING UNITS IN ANY NEW DEVELOPMENTS WITH 25 OR MORE UNITS. THE REPORT WAS PRESENTED AND DISCUSSED AT THE DECEMBER 11TH PLANNING AND DEVELOPMENT MEETING WHICH I ATTENDED. AT THE FOLLOWING COUNCIL MEETING THE COUNCIL VOTED 5 TO 4 IN FAVOR OF THE ORDINANCE AS INITIALLY PRESENTED.

TANGENTIAL TO THIS, THE COUNCIL WAS AWARE THAT OUR COMMUNITY IS THE ONLY ONE ON THE NORTHSORE THAT DOUBLES THE STATE REQUIREMENT THAT 10% OF HOUSING IS AFFORDABLE. INCLUDED ARE OVER 800 SECTION 8 CERTIFICATES THAT ARE IN USE IN EVANSTON. WE ARE FORTUNATE THAT WE HAVE THE USE OF CDBG FUNDS, HOME FUNDS, FUNDS USED BY COMMUNITY ORGANIZATIONS SUCH AS EVANSTON HOUSING COALITION, REBA PLACE DEVELOPMENT CORPORATION, EVANSTON COMMUNITY DEVELOPMENT CORPORATION ASSOCIATION, THE MAYOR'S SPECIAL HOUSING FUND, AND THE HOUSING OPPORTUNITY DEVELOPMENT CORPORATION, IN ADDITION TO PRIVATE AND PUBLIC FUNDS PROVIDED TO CONSTRUCT OR REHABILITATE AFFORDABLE HOUSING. TO DATE THIS HOME FUND HAS \$1.5 MILLION IN AVAILABLE FUNDS FOR PRESENT USE. CDBG FOR THIS YEAR HAS

COMMITTED \$2.25 MILLION. THERE HAVE BEEN 52 HOUSING UNITS BORN UNDER THESE HOME OWNERSHIP FUNDS.

REMINDE YOU OF THIS BECAUSE I WANT THE ENTIRE EVANSTON PUBLIC TO KNOW THAT EVERY MEMBER, EVERY MEMBER OF THIS PRESENT CITY COUNCIL, WHICH INCLUDES THE MAYOR, IS COMMITTED, TOTALLY COMMITTED, TO SOME FORM OF AFFORDABLE HOUSING.

IF YOU RECALL, THE KRETCHMER REPORT DID NOT SUPPORT THE ENTIRE PROPOSED ORDINANCE. I AGREE. FURTHER, I FEEL THAT THIS ORDINANCE IS UNMANAGEABLE AND WILL BE A NIGHTMARE TO ADMINISTER. IT HAS THE POTENTIAL TO BE A SPIRAL OF HAZARDS AND CREATE MORE PROBLEMS THAN IT WOULD SOLVE. IT MAY RESULT IN UNREALISTIC EXPECTATIONS AMONG THE POPULATION WE WANT TO PROVIDE AVENUES TO HOME OWNERSHIP. IT WILL ADD AN EXPENSE TO THE CITY AND REQUIRE ADDITIONAL LEVELS OF ADMINISTRATION; IT WILL LIMIT THE NUMBER OF QUALIFIED CITIZENS WHO CAN BE ACCOMMODATED AT A PARTICULAR POINT IN TIME. THOSE WHO QUALIFY FOR ON SITE PURCHASE MUST JOCKEY FOR THE LIMITED AVAILABLE UNITS AND AFTER PURCHASING WILL HAVE UNPREDICTABLE MONTHLY EXPENSES THAT THEIR INCOMES ARE NOT LIKELY TO SUPPORT, THEREBY CAUSING THEM TO FACE THE LEGAL POSSIBILITY OF FORECLOSURE. IT MAY DISCOURAGE DEVELOPERS, LARGE AND SMALL, FROM CONTINUING TO INVEST IN EVANSTON. SOMETHING NO MEMBER OF THIS COUNCIL WOULD WANT. SHOULD THAT HAPPEN IT WILL STALL JOBS AND MONETARY RETURNS TO THE CITY. THIS ORDINANCE WOULD MERELY BECOME A SYMBOLIC GESTURE.

FOR THESE REASONS AND OTHERS NOT ENUMERATED BUT IN SUPPORT OF RELATED ITEMS IN THE CONSULTANT'S REPORT, I VETO ORDINANCE 115-0-06. IN DOING SO I REQUEST THAT DUE TO REMAINING LEGAL CONCERNS ABOUT ORDINANCE 17-0-06 THAT THE COUNCIL POSTPONE THE EFFECTIVE DATE OF THAT ORDINANCE PURSUANT TO LEGAL ADVICE.

AS AN ADDENDUM, I HAVE FOR YOUR CONSIDERATION A SUGGESTION THAT I FEEL WILL AFFORD THIS COUNCIL A WAY TO FINANCE AFFORDABLE HOME OWNERSHIP. A WAY THAT WILL BE IN SYNC WITH PRESENT PROCEDURES USED TO OFFER HOME OWNERSHIP BUT

WILL OFFER THE OPPORTUNITY FOR MORE, AND I EMPHASIZE MORE, CITIZENS TO OWN AND SUSTAIN HOMES IN ALL PARTS OF THE CITY OF EVANSTON. AS YOU KNOW, ALL NEW DEVELOPMENTS STRESS OUR CITY INFRASTRUCTURE, CITY SERVICES, AND OTHER CITY PROVIDED ACCOMMODATIONS. CONSISTENT WITH OTHER IMPACT FEES, I ASK YOU TO CONSIDER IMPOSING A "DEVELOPER IMPACT FEE" THAT WILL APPLY TO ALL NEW DEVELOPMENTS OF 15 DWELLING UNITS OR MORE AT AN ADJUSTED COST RELATED TO THE NUMBER OF UNITS. THIS WILL PROVIDE THE COUNCIL AN OPPORTUNITY TO KRAFT A DOCUMENT THAT IS ACCEPTABLE TO ALL MEMBERS OF THE COUNCIL AND ERADICATE THE NEED FOR THE DISADVANTAGES FOUND IN THE CONSULTANT'S REPORT. THIS WILL ALLOW THE COUNCIL TO PROVIDE FUNDS INTO POSTERITY, ENHANCE PROCEDURES ALREADY IN PLACE BY STAFF, AND ALSO ASSURE A CONTINUOUS FINANCIAL STREAM FOR USE BY MORE AND MORE QUALIFYING CITIZENS WHO WANT TO OWN A HOME THAT IS AFFORDABLE IN EVANSTON.

Lorraine H. Morton  
Mayor  
City of Evanston