



MINUTES
CITY COUNCIL EXECUTIVE SESSION
Monday, September 23, 2013
Lorraine H. Morton Civic Center
Aldermanic Library

Present: Alderman Braithwaite Alderman Groyer
Alderman Wilson Alderman Rainey
Alderman Holmes Alderman Burrus
Alderman Tendam Alderman Fiske

Absent: Alderman Wynne

Others Present: Grant Farrar, City Attorney, Marty Lyons, Assistant City Manager, Johanna Nyden, Economic Development Manager, Meagan Jones, Economic Development Specialist

Presiding: Mayor Elizabeth B. Tisdahl

Mayor Tisdahl called the meeting to order at 9:15 p.m.

Real Estate

Assistant City Manager Marty Lyons asked Johanna and Meagan to update Council members on the properties located at 1409 Dodge and 1825 Greenwood. These properties (one is an auto repair shop and the other is a vacant single-family home) are bank-owned and are available for purchase. They reported that the auto repair shop is connected to the residence for water service and that no environmental assessment has been done.

Several aldermen had concerns about contamination issues and whether the home is structurally sound. They think the bank should perhaps be forced to do a Phase II inspection. Johanna reported that they are still researching the history of the house and how zoning relates to the property.

Council gave the okay to continue to research and report back with more information.

Litigation

Grant Farrar reported to Council that he had learned earlier in the evening that a lawsuit has been filed against the City by Mr. John Bamberg regarding the death of his son. The suit alleges that both the Evanston Police Department and the Evanston Fire Department did not respond quick enough to save his life. Grant will brief Council when he learns more.

The second pending case is the Biagio Gino Stragapede wrongful termination case. Mr. Stragapede was a former water service worker with the utilities department who shot a nail into his head and was terminated because he had a lot of cognitive and job related safety issues. His attorney filed an ADA claim against the City. The judge would like the parties to settle. After several witnesses were deposed, Mr. Farrar feels that undisputed facts on the record show that he couldn't do the job and there is not enough proof on the record to convince a jury at trial that he has a case. Both parties are being pressured to move on our original offer of \$25,000- they are asking for \$1.1 million. The case will probably go to trial some time next year. In the meantime, we need to respond to the judge with a detailed letter on why the City's position is such that there doesn't have to be a lot of movement. Mr. Farrar's recommendation is that the City "up the settlement authority" but not to the extent that the plaintiff is looking for. Council directed Mr. Farrar to make an offer of \$100,000.00. He will keep Council posted.

Minutes

With regard to the Minutes of the August 5 meeting, Alderman Grover stated that since she was not in attendance at that meeting, she could not have seconded a motion. She asked that a correction be made and then made a motion to approve the minutes as amended. All were in favor.

A motion to adjourn was made and seconded. The meeting ended at 9:30 p.m.

Submitted by: Elaine Autwell, Deputy City Clerk