

**Evanston City Council
Closed Session Minutes
Aldermanic Library
Monday, January 12, 2009**

PRESENT: Aldermen Wynne, Bernstein, Holmes, Moran, Tisdahl, Rainey, Wollin, Jean-Baptiste, Hansen

STAFF: Elke Tober-Purze, Rolanda Russell, Chief Eddington, Joellen Daley

PRESIDING: Mayor Lorraine H. Morton

Mayor Morton called the meeting to order at 10:20 p.m. She asked the Interim City Manager Rolanda Russell to start with her first item for discussion which was Litigation.

Litigation

The Interim First Assistant Corporate Counsel Elke Purze gave an update on the various legal battles the City is involved in at the present. She also reported she was not asking for any funds, but the lawyers for Mr. Powell are demanding \$90,000 and she is not recommending any settlement. This case concerning Mr. Powell will go to trial January 22, 2009.

The case of Patrick Hotchkiss v. City of Evanston has a trial date of March 3, 2009. The demand had been reduced to \$700,000.00. Later on the price came down to a range of \$400,000.00 to \$500,000.00 for settlement purposes. She met with his counsel to discuss the matter and discovered that the family was destitute and living rent free. At the conclusion of the meeting counsel remarked he had the authority to lower the demand to \$500,000.00 and that the request was negotiable. She believes that the price could go down even lower because the counsel appears to want to settle the case.

The case of Sharon Eckersall v. Castenada is set to go to trial on January 26, 2009. She also informed the Council members that they all will probably receive a subpoena from the plaintiff's lawyer.

Alderman Bernstein asked who hired the lawyer at the Planning and Development meeting and where did the lawyer come from? It was told he had been hired by Dennis Marino and has been on the payroll since the fall of 2007. He then asked how city staff could hire someone without the City Manager or our Legal department knowing about the transaction.

Interim City Manager said that Mr. Marino felt and City Manager Carroll that they needed a Lawyer since the other party had one and Mr. Schwartz was highly recommended by Jack Siegle. Alderman Bernstein wondered why we were paying for outside lawyers when we have lawyers, and also asked to see all of the bills this attorney had submitted. Ms. Purze agreed to get the bills to him for review, Ms. Purze also said she was not seeking anything she was just supplying an update.

Real Estate

This property is located on Central Street and has had two bids, (1) from Mr. Sam Guille \$400 and (2) The Bronze bided \$415 and agreed to do all renovations.

Alderman Moran expressed concerns about the North Library and the proposed purchase. Alderman Wollin wanted to know if we had to go out again to bid again for the Central Street property.

Alderman Rainey suggested that the developer be given a 10 day notice regarding their intentions, and if no response is received then move or to give another developer the opportunity. No consensus was given.

Personnel (at this point all other staff had left the room)

Interim City Manager Russell announced the departure of Mr. John Burke from the employment of the City, effective on January 26, 2009. In the next 2 weeks there will be a Transitional Plan in place. She also said Dennis Marino was a top candidate for Community Development Director when they conducted their interview process last year. Interim City Manager Russell stated Mr. Marino had been wearing 2 hats and serving in that capacity for over 6 months. A majority of the Aldermen voiced opinions to City Manager Russell. Ms. Russell told the Council she would hold off on the position for now. Mayor Morton wanted to know what the position of "**Economic Development Director**" would entail, and Interim City Manager Russell told her and the Council this position would be responsible for developing means of securing new economic endeavors for the City. Alderman Moran suggested that this person should also talk to the business owners in the City to get their support as well.

Interim City Manager Russell then talked about the open position for "**First Assistant Corporate Council**". She said they had interviewed 8 candidates and so far none would be going on to the next round of interviews. She stated the internal candidate Elke Purze would not be going on to the next phase. Interim City Manager Russell replied no. Alderman Rainey then asked what the salary was for Ms. Purze, and City Manager Russell answered about \$120,000.00. Ms. Russell then explained to the Council the candidate interview process. She also pointed out what she was looking for in the candidate who would fill the position. A few of those points were:

- (1) Experience in Law
- (2) Trial experience
- (3) Proactive in their responsibilities
- (4) Strategic and entrepreneur within execution of work

She also stated that the candidates had to prepare a written essay of how they view themselves as the "First Assistant Corporate Council". Council agreed unanimously with Interim City Manager Russell's criteria for selecting the "**First Assistant Corporate Council**", and she should not settle for less.

Mayor asked if there were any other items to be discussed tonight, and hearing none declared the meeting to be adjourned at 11:38 pm.

Respectfully submitted,
Rodney Greene
City Clerk