

**Evanston City Council  
Closed Session Minutes  
Aldermanic Library  
Monday, November 24, 2008**

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

ABSENT: Alderman Hansen

STAFF: Doug Gaynor, Elke Tober-Purze, Robert Gustafson and Rolanda Russell

PRESIDING: Mayor Lorraine H. Morton

Mayor Morton called the meeting to order at 9:59 p.m. She asked the Interim City Manager Rolanda Russell if she had anything to present.

Interim City Manager Russell started with Worker's Comp. and she directed Mr. Robert Gustafson to proceed.

Mr. Gustafson presented 3 settlements. 1.) Edwin Gregory a Police officer who has been working with the City since 1998 and who is still employed, suffered an injury of his rotator cuff in April of 2007 while on his lunch break lifting weights. The case was denied but later it was discovered that the Policemen had to always maintain their fitness for the job, and because the equipment is in the facilities we were held liable for his injury even though he was not on the clock. His lawyers want \$43,000 and we will only offer up to \$48,000. Alderman Wynne motioned to approve the presentation and Alderman Rainey second. There was no dissention on the motion, so it was carried and approved.

2.) Mr. Richard Heath a part-time program assistant who began work here in 2004. On October 6<sup>th</sup> 2007 he fell during ice-skating demonstration. The settlement was moved and seconded for approval.

3.) Mr. Kevin Jacobs for initial amount and they were not successful in reaching an agreement between our Attorney and theirs. His Attorney then request a breach trial before the Arbitrator, and the arbitrator decided it would be 35 to 40% of a person's body and so requested the amount of \$53,317.42 Alderman Bernstein moved for approval.

Mayor Morton asked were there any objections. No objections to that one so moving right along.

**Redacted**

**Redacted**

Ms. Russell said the real estate issue had been postponed and they will bring it back on December 8<sup>th</sup>.

Alderman Rainey asked what real estate?

Ms. Russell responded it is the property we own, the Water/Sewer Plant and staff did not have enough information to discuss the issue. Mr. Keene met with staff and that is the proposal you have before you. Apparently a couple of cities around the country have been successful in selling air rights that brings monies into the prospective City or Municipality. The staff would like to do more research and then bring it back at a later date.

Alderman Rainey asked why do we want to sell air rights, and where did this man come from?

Ms. Russell stated that he contacted Mr. Lyons and wanted to share some ideas.

Alderman Moran stated he was pretty intrigued by the proposal. He believe that we need to leverage this better than we have from his perspective how we could get ahead to promote this asset.

Ms. Russell commented that Mr. Keene will be here on December 8<sup>th</sup> and will go through this packet, explain various options and then we will go to litigation and talk about it, to either go through with the suggestions and someone will talk to us in detail.

Alderman Bernstein said 10 years ago he asked if we could bottle Lake Michigan water, and was told we couldn't commercialize and he wonders what the situation is now.

Alderman Wynne wanted to know what the Homeland Security issues are that relates to the Water Plant.

Alderman Bernstein asked about Mr. Gayle Sayers' interests in setting up in Evanston.

Mr. Gaynor said Mr. Sayers had looked at some other properties. Mr. Gaynor said in his opinion he does not believe that Mr. Sayers is interested in coming to Evanston anymore.

Mayor asked if there were any other items to be discussed tonight, and hearing none declared the meeting adjourned at 10:23 pm.

Respectfully submitted,  
Rodney Greene  
City Clerk