

**Evanston City Council
Closed Session Minutes
Aldermanic Library
Monday, September 24, 2007**

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

ABSENT: None

STAFF: Julia Carroll, Joellen Daley, Sarah Flax, Herb Hill, Rolanda
Russell, Debbie Sleet and James Wolinski

PRESIDING: Mayor Morton

START: 10:58 p.m.

CONFIDENTIAL

Minutes

Closed session minutes of August 13, 2007 were approved as submitted.

Litigation report updates:

*Joan L. Miller and Richard A Miller v. Metropolitan Water Reclamation District
Of Greater Chicago and the City of Evanston*
Robert P. Taylor v. the Zoning Board of Appeals and the City of Evanston, et al
Padma Rao's objection to Special Assessment No. 1489
Elizabeth Gutstein v. City of Evanston

1817 Church Street Recovery

Community Development Direction James Wolinski explained this property was deeded by the City to the Evanston Westside Citizen District Council in 2001 to establish an Black American Heritage House and Technological Resource Center. One condition was that it would be open within nine months. CDBG funds totaling \$201,000 were allocated to the project with \$176,000 expended on the project to date. There are issues due to lack of payment for utilities. The CD Committee recommends the City take the property back.

Alderman Rainey, chair of the CD committee serves with Aldermen Hansen, Jean-Baptiste and Bernstein and citizen members; suggested that it was partially their fault because it seemed that if they continually gave money it would happen, but it failed miserably. She hoped that Council would support the recovery of the property and their goal to establish a Black American Heritage House and Resource Center. They plan to issue a request for qualifications to find an organization, either profit making or non-profit, that can fulfill their goal.

Alderman Jean-Baptiste commented that the project was never transparent and when they visited they saw sub-standard workmanship. Mayor Morton saw problems from the beginning; noted the building formerly had been an animal hospital. A steep staircase

could not be renovated. She never saw a list of people who supported the project and saw only Bettye Palmer's name on documents.

Alderman Rainey commended Sarah Flax for getting this organized and recommended that they approve the recommendation. There was consensus to do so.

First Assistant Corporation Counsel Herb Hill will present findings at the next Council meeting for action. Alderman Rainey will notify the EWCDC regarding the Council's decision and action on the next agenda.

Dennis McGuigan worker's compensation claim

Human Resource Director Joellen Daley explained the settlement recommendation is 32.5% loss of a person which equates to \$86,801 for final resolution of all claims and closes out any future medical liability.

Council members discussed that many injuries to McGuigan were not reported; that he is still at work and what precipitated the claim. The case has been pending for five years. He is represented by an attorney and was cleared by the City's physician to return to work. City Manager Carroll stated that employees should report injuries and the City now has a procedure for those reports.

The decision was to settle the case using the settlement recommendation.

Jelani Sutton worker's compensation claim

Mr. Sutton is no longer employed at the City. He is entitled to a wage differential in the amount of \$321.85 per week. Settlement recommendation is 25% loss of use of a person as a whole. \$58,794 will settle this case and close out any future medical liability and wage differential. Mr. Sutton was willing to accept the \$58,794.

Alderman Rainey moved that they approve the recommended settlement amount. Seconded by Alderman Moran.

Ms. Daley reported that the Law Department is taking over Worker's Compensation Claims and that Human Resources will work closely with them. Mr. Hill noted that there is a training component in the Insurance Fund.

Alderman Moran asked about a risk manager. Mr. Hill explained they hired someone who was here briefly and now are looking to hire a new risk manager.

There being no further business to come before Council, Mayor Morton declared the meeting adjourned at 10:59 p.m.

Mary P. Morris,
City Clerk

CONFIDENTIAL

CONFIDENTIAL