

**Evanston City Council
Closed Session Minutes
Aldermanic Library
Monday, October 9, 2006**

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

STAFF: Julia Carroll

PRESIDING: Mayor Lorraine H. Morton

START: 11:31 p.m.

Minutes

Mayor Morton asked for any corrections to the closed session minutes of September 25, 2006. Minutes were accepted as presented.

Personnel and real estate

Redacted

Redacted

Alderman Moran explained at the last Council closed session when the site for a new Civic Center was discussed, Council gave staff instructions to get an appraisal. The issue was raised as to whether they would move to institute imminent domain proceedings. At that meeting, he urged them not to jump into anything. He thought all understood that if they file imminent domain proceedings it would be long, ugly and expensive. There might be a better way. He also re-read the minutes and he had advised them to put on their thinking caps, to try and find a way to acquire this property without going to

imminent domain. He thought about it and decided he would go to the NU administration and find out if there was any way to have reciprocal action that would allow the City to gain possession of Parcel 7.

He called Gene Sunshine and asked to meet with him. He has talked with him on numerous occasions about gaining control of Parcel 7. Since the next step was imminent domain, clearly the cogency was there. He decided to go and any of them could have gone too. He said the things they are outraged about are rules that don't apply. He can call individual aldermen and meet with them. He went over there not to negotiate Parcel 7 or zoning, not for any specific purpose, but to get NU to tell him if they have any conception of what they could do. He made the date, called the manager to let her know that he was going over to talk with Sunshine. During that conversation it was decided that the manager would come with him, so she would be aware of what was said and he would have a second ear to the discussion. He was the talker. They went and he met with Gene Sunshine and Ron Nayler. He told them the train was coming down the tracks and that Council was locked in on Parcel 7 and determined to pursue it. What could the City do to reciprocate in order to gain control of Parcel 7.

NU said given the zoning on Parcel 7, they could build a structure of 150,000 square feet, 150 feet tall, so the site is valuable to them. NU wants to do things on the west side of Sheridan Road that they cannot do now. They would consider class rooms, administrative and research uses and dormitories in the future. NU also said from Library Place to Lincoln, there is a strip that goes down the middle which is mostly single family homes, which they use for administrative space and housing for faculty or administration. This is not the O'Neill's property or Sheil Center. The strip is between the two alleys parallel to Sheridan and Orrington. NU would agree that the City could rezone that as R1, so that anything not consistent with R1 would be an existing non-conforming use, and if any change in the regime was made, it would revert to an R1 use with the idea that, that strip would become, in essence, a firewall, from what this crowd refers to as institutional creep. Alderman Wynne asked what would be on Sheridan Road. Administration, classrooms, and dormitories. Current zoning allows building to 45 feet height on Sheridan Road and NU wants to go to 60-feet. They talked about getting some relief to 50 or 60 feet. Alderman Rainey asked if there was any discussion of the historic district. There was some discussion about the historic district. No particulars were discussed. They made it clear, that in relation to the uses, they had no particular plan at this point. These were things they had conceptually but were in no rush to do any project. If there were to be a change, it would occur over a long period of time. When they discussed that, something came up in relation to the strictures in the Consent Decree. One was 10 years and another 20 years. There was a question that, if any of this became detailed, depending on the timeframe stricture in the Consent Decree, was an impairment to their proceeding with redevelopment of the site and wanted consideration given to changing the Consent Decree.

Alderman Wynne asked if there was anything mentioned about a Ryan Field Parking deck. Alderman Moran said that had nothing to do with this. He asked what the City could do. NU did not say anything about the City agreeing to any of this. They said those

were the things that would be a positive development for them. Alderman Jean-Baptiste asked where the Ryan Field came from. For a considerable period of time Moran has talked to NU about doing things that would provide more parking inventory for commuters; resolve drainage problems in that area and basically take off the pressure by getting more parking there. He talked about it at this meeting but as an aside.

Alderman Jean-Baptiste discussed this with Alderman Moran and that NU would have to go through the process. Two things bothered him. When he left the meeting, he knew they would have to go through the process. When he spoke with Alderman Bernstein, he was upset, and said, how this is handled is really important. If any one of them put it out in the community, how do they handle the contradiction before them. Somebody put this out to the community as a negotiated thing with NU. That is an internal problem indicated by the presence that evening of that community. He did not know how they can move forward on a cash purchase and thought they had sacrificed principle. He didn't know how this got out of hand

Alderman Hansen was shocked when she heard former alderman Art Newman say he was told by an alderman, the arrangement between the City and NU for Parcel 7 was a cash deal. On Thursday, there was an article in the *Daily* with quotes by Sunshine that the City wanted to buy parcel 7. She called the law department and asked what her comment should be if asked. She was told, no comment, because this was information from a closed session.

Alderman Holmes stated whatever is discussed should stay here and did not want to work with people that she cannot trust. How could the neighbors get up and say the things they did without a Council member discussing what was said in closed session.

Alderman Wynne thought there was agreement at the Civic Center meeting about what the City would do about Parcel 7. Her issue was because Julia Carroll went, since she is the City's negotiating agent that set a different tone. She asked how the meeting concluded Alderman Moran reported that when the meeting ended he thanked them for their being forthright for telling them what they had in mind. There was no capstone to end the meeting. He thanked them for their time and for answering the question he asked. He would go back and tell his colleagues what he heard and they would figure out what they want to do. He came back and made the decision to talk to alderman individually; thought he could better explain the sense of the meeting, what was discussed and what was going on an individual basis. He said when he and Bernstein talked last week he was concerned that a week had passed. He leads a busy life and did not have the time between the meeting and now to have nine meetings with people. He was determined to have a meeting with everybody. In the meantime he has had Alderman Bernstein raging at him, which he didn't get and it became apparent this was all over town. He meant no offense to anybody he had not met with.

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Mayor Morton confirmed that Alderman Bernstein's concern was as chair of the committee he was not contacted and the manager went with Alderman Moran to meet with NU. Alderman Wynne's concern was that the city manager did not follow a committee process that affects everybody and other aldermen were being informed individually when they should've had a meeting.

Alderman Tisdahl agreed that Bernstein should've been called and they should treat one another with respect. She thought maybe they had not explained well enough the meaning of the Consent Decree to Ms. Carroll. She did not think Ms. Carroll realized what everybody went through and what it means. It was not just the immediate neighbors that they would consider in overturning the Consent Decree. She urged them to be more transparent about what is going on with each other.

Alderman Rainey felt even worse to find out that the city manager would say she wasn't called because she did not like NU which led her to believe what else she has not been called about because she didn't like them. She was Julia's number one supporter; felt she has let them down and her behavior was problematic.

Alderman Wollin had met with Ms. Carroll and could not sell this to anybody in her ward. A flyer came out saying that she agreed. She took the brunt from angry neighbors that evening; had e-mailed Bob Atkins about the flyer saying she had nothing to do with it but nothing was retracted. Somebody talked to neighbors and betrayed Council.

Ms. Carroll said nobody on staff knew about this. Alderman Hansen understood why they were upset, because this had the appearance of an impropriety.

Alderman Jean-Baptiste urged them to handle contradictions internally. He said this city manager works harder than the former manager and is trying to lead a complex organization. She made a mistake, but the question is what the next step is. It is not the job of the manager to lobby aldermen. He urged Alderman Rainey not to give up. Alderman Rainey wanted an apology. Alderman Jean-Baptiste said the mob that night was about the 1st Ward aldermanic post. Alderman Rainey said a retired alderman should be given respect and all should defend Alderman Wollin.

City Manager Carroll apologized to Council and had agreed to go to this meeting because the purpose was to be in the loop. She recalled that staff was excluded from some of the Mather discussion. What Alderman Moran said was true. There were no promises made, and no negotiating. She should have contacted Alderman Bernstein. She did not mean to hurt Alderman Rainey's feelings. She called the meetings because Alderman Moran asked her to. It was a mistake. She won't do that ever again and did not want to lose the trust of Council. She has worked extremely hard for two years and has made progress.

Alderman Tisdahl expressed faith in the city manager. Mayor Morton said the role of the city manager is to deal with staff and Council. Dealing with the public is the role of the Mayor and she is completely out of the loop. She suggested that Alderman Moran should have asked the Mayor to accompany him. NU is a citizen group and according to the job description, a mayor deals with the public. Mayor Morton thanked Ms. Carroll for her apology and hoped she would try to build a relationship with Aldermen Bernstein, Rainey and Wynne; thought they could work it out.

Alderman Bernstein suggested a meeting of the Civic Center Committee be called.

Ms. Carroll said she had not had time to meet with the last four people and that Alderman Moran had called several.

There being no more business to come before Council, Mayor Morton asked for a motion to adjourn. The Council so moved at 1:00 a.m.

Mary P. Morris, City Clerk