

Observer: Kristine Lofquist

Councilmembers present: Kelly, Braithwaite, Wynne, Nieuwsma, Burns, Suffredin, Revelle, Reidand Fleming

Meeting started: 5:55 pm

Meeting ended: 10:52 pm

Mayor Biss called the meeting to order at 5:55 pm. Clerk Mendoza took the roll call and noted there was a quorum.

Announcements

Mayor Biss reported on the recent proclamation at Fountain Square regarding Asian Americans. He noted that he is looking forward to a summer of more freedom for the community as more residents are getting COVID-19 vaccine.

The City Manager had not report

Public comment. There were 20 public comments via Zoom (some on more than one issue). Five citizens were in favor of the hazard pay resolution and one was against. Thirteen citizens were in favor of the free beach pass proposal and three requested it be deferred until 2022. There was one comment against the extension of the expiration date for the Northwestern special use permit. One commenter inquired as to the procedures for public comments and emails to the council once Zoom comments are disabled, commended Evanston social workers for their work during the COVID-19 and asked for changes to the accounting systems to be more equitable and changes to the building code to promote greener buildings. There were three in-person comments, two in support of the beach pass program and one in support of the hazard pay resolution. Clerk Mendoza also noted that one resident had submitted a written comment against fire pits, two against the beach pass program and one in favor, and one against the hazard pay resolution and one in favor.

Special orders of business.

There was a Motion to move SP3 to top of agenda. The Motion was seconded. The Motion failed with 5 Councilmembers voting no and 4 Councilmembers voting yes.

SP1. American Rescue Plan Act Funding Guidelines. City Manager Storlie and City staff members reviewed the American Rescue Plan Act Funding Guidelines and stated they are working on a plan based on the guidelines from the Federal government that came out earlier in May. They noted that they are coming up with recommendations for the Council and that they will be asking for community input. The City noted that Evanston is set to receive \$43 million in ARPA funds, and that half of the funds were received last week and deposited in a separate fund created by the Finance Department, and that the other half will be paid in the second half of 2022. The City staff suggested setting up town halls to discuss the ARPA money in partnership with community organizations to get greater impact and provide hands-on experience to the community. The staff went over eligible and non-eligible uses for the funds, noting that they will recommend using part of the ARPA money for water and sewer improvements, combatting the effects of climate and better broadband access.

City Manager Storlie requested feedback from the Council. Councilmember Fleming asked if the money could be used for rental assistance or premium pay, encouraged the City staff to think outside the box and suggested formation of an ad hoc subcommittee. Councilmember Reid noted support for Councilmember Fleming's suggestions and stated this is a unique opportunity for a participatory budgeting project. Councilmember Burns stated he would like the Council to be intentional about this issue and increase funding for programs that have been started such as the minority business incubator program, job training, and universal childcare. He also asked about critical investments that needed to be delayed due to COVID and rethinking how commercial space is used in Evanston. Councilmember Nieuwsma thanked the City staff for their presentation and asked for clarification on infrastructure spending. City Manager Storlie reported that the City is planning three community meetings – one on-line, one in-person and one in Spanish only and that dates are currently being vetted. Councilmember Fleming also indicated she would like the staff to look at a guaranteed income program and an alternate 911 response. Councilmember Kelly asked what outreach strategies would be used to encourage participation and City Manager Storlie reported that they will be using social media outlets and non-profit task forces to get maximum participation. She also suggested providing food and childcare to encourage attendance. Councilmember Kelly inquired if the City could provide compensation to encourage participation and City Manager Storlie indicates she would review this option.

Mayor Biss stated that public input is difficult, and that the City will need to do something different than it normally does. He encouraged creativity and directed the City staff and Council to do it right and that the process cannot be haphazard or rushed. Mayor Biss noted on the other hand that economic recovery is happening now and that the City staff and Council also need to be nimble so as not to lose out on opportunities.

SP2. Approval for up to \$50,000 of CDBG-CV Funding for the Entrepreneurship Grant Program - Emergency Assistance to Support Evanston Businesses' Recovery from the Coronavirus

Councilmember Braithwaite made a Motion to approve SP2 and it was seconded by Councilmember Wynne. The Motion passed 9-0.

SP3. Resolution 61-R-21, Authorizing a Pilot Program for Free Beach Access. Councilmember Reid made a Motion to approve SP3 and Councilmember Braithwaite seconded the Motion. Councilmember Reid spoke on the history of beach tokens in Evanston and noted that there is no charge to use other public places in Evanston. He also noted that city beaches had been free until 1931. Mr. Hemingway from the Parks and Recreation discussed the beach token program with the Council. He noted the annual revenue for the beach program is approximately \$1.2 million and that the budget comes from the General Fund and revenues from summer programs. He requested that the Council defer the resolution for a season in order to come up with funding to pay for free beach access. He also noted that there would be no aquatics camp this summer, so the revenue projection is only \$1 million. Discussion followed. In response to a question regarding the General Fund balance, it was noted that it was estimated at \$17.1 million at the end of 2020.

Councilmember Nieuwsma thanked Councilmember Reid for highlighting this issue and joined in the sentiment that beach tokens are racist but noted that the Council needs to be mindful of the economic impact and committed to transparency and engagement. He made a substitute Motion to offer free beach access in the summer of 2022 and provide free access in 2021 at all beaches on Sundays and Mondays all summer. Councilmember Wynne seconded the Motion. Councilmembers Reid and Kelly

stated their opposition to the substitute resolution, noting that the funding is there and the time to provide free access is now, otherwise it will just appear the Council is stalling. Councilmember Burns noted the pilot program is for one season, and there is no evidence that free passes would reduce the General Fund below 16%.

In response to concerns regarding refunds to those who already purchased passes, it was noted that the passes purchased with the new app can be refunded at no additional cost. Councilmember Braithwaite questioned how the program would be enforced so that only Evanston residents can have free access. Councilmember Kelly reminded the Council this is a pilot program and Councilmember Reid opined that more money will be spent when people come to the free beach, which will provide additional income for vendors. He also noted that residents can donate tax-deductible funds for beach access, which was also noted by City Manager Storlie.

The substitute Motion was put forward for a vote, pursuant to Section 18.8. The Motion passed with Councilmembers Wynne, Nieuwsma, Suffredin, Revelle, and Braithwaite voting yes, and Councilmembers Fleming, Reid, Burns and Kelly voting no. Councilmember Fleming stated that if a Council member is going to make substitute motion they should wait until all members have had a chance to speak before making the motion. She noted a concern regarding ADA access to the beach which was addressed by Mr. Hemingway, and she questioned assumptions that everything has to be made free in order for black residents to attend.

Councilmember Reid then moved to suspend the rules and Councilmember Fleming seconded the Motion. He requested that the Council reconsider the substitute Motion and replace "Sunday and Monday" with "Friday and Saturday". The Motion to suspend the rules passed 9-0. Councilmember Nieuwsma made a Motion to reconsider the substitute Motion. The Motion passed 9-0.

Councilmember Nieuwsma made a revised substitute Motion to offer free beach access to Evanston residents at all beaches on Mondays and Saturdays in 2021, and all days in 2022. Councilmember Kelly moved to amend the revised substitute Motion to add Sundays to the free beach days in 2021. A roll call vote was made to amend the revised substitute motion. The Motion passed 8-1 with Councilmember Wynne voting no.

The Councilmembers then voted on the amended revised substitute Motion to authorize a pilot program for free beach access for Evanston residents at all beaches on Saturdays, Sundays, and Mondays in 2021 and free beach access for Evanston residents at all beaches every day in 2022. The Motion passed 9-0 on a Roll Call vote.

SP4 – Ordinance 60-O-21, Creating Title 12 "Workers' Rights" of the City Code and Mandating Hazard Pay for Certain Employees

Councilmember Reid made a Motion to pass SP4, mandating hazard pay for Evanston essential workers in large retail franchises during the COVID-19 pandemic. The Motion was seconded by Councilmember Kelly. Discussion followed. The Council indicated they were looking forward to hearing from the business community on this issue but had received little feedback. Councilmember Wynne indicated certain large employers such as Valli and Target were already providing hazard pay during the pandemic. Councilmember Fleming indicated she wants to continue researching and discussing the issue. She suggested it be referred to the Economic Development Committee. Councilmember Braithwaite

indicated it is a complicated issue that he cannot support without more information and Councilmember Suffredin indicated he wants to make sure it is a collective effort. The City attorney noted that the City has the authority to pass the ordinance based on the doctrine of home rule but that the issue of retroactivity is being litigated in other communities. He noted that the premium pay cannot be paid from ARPA funds. A Motion was made to introduce SP4 for consideration by the full Board. The Motion passed 6-3 on a roll call vote with Councilmembers Reid, Kelly, Nieuwsma, Burns, Revelle and Suffredin voting yes and Councilmembers Wynne, Fleming, and Braithwaite voting no.

Consent Agenda. A Motion was made and seconded to remove items A2, P1, P3, R2, A12, A3 and AP1 from the consent agenda. The Motion passed 9-0.

A2 - A Motion was made and seconded to approve the BMO Harris Amazon Credit Card activity. The Motion passed 7-0, with Councilmembers Suffredin and Kelly recusing themselves

P1 - A special use permit for Richard Shapiro, attorney at law. Councilmember Wynne moved to hold the item for the Planning and Development Committee for more detail and Councilmember Revelle seconded the Motion. The Motion passed 9-0.

P3 – A Motion was made to amend the City code to extend the expiration date of the special use permit for the Northwestern campus. Dave Davis of Northwestern gave a presentation to the Council regarding extension of the special use permit in the U2 Zoning District. He stated that no tailgating will be allowed and that the permit would be for seven events per year. He noted that the University is sympathetic to concerns from the neighborhood. Councilmember Revelle indicated that the neighbors did not bargain for unknown events and that the permit changes the zoning to allow professional sports events and for-profit concerts. Councilmember Reid stated he would like further deliberations on the matter, that the City is leaving money on the table and that Northwestern must give Evanston a better deal for the permit. Councilmember Braithwaite noted he would like to move forward, and Councilmember Burns indicated he would like to hold the resolution so that the new council members have more time to learn about the issue. Councilmember Reid moved to hold the Motion for future discussion and Councilmember Burns seconded the Motion. The Motion passed 9-0 to hold the issue over to a future meeting.

R2 - Councilmember Reid made a Motion to refer R2, the Ordinance adopting the City Code of Ethics and Board of Ethics to the Rules Committee and Councilmember Kelly seconded the Motion. The Motion passed 6-3 with Councilmembers Reid, Kelly, Nieuwsma, Burns, Fleming and Suffredin voting yes and Councilmembers Wynne, Revelle and Braithwaite voting no.

A12 – Councilmember Fleming made a Motion to change the rules for the Public Safety Civil Service Commission to allow for a separate lateral police officer hiring process and Councilmember Wynne seconded the Motion. Councilmember Fleming inquired whether there could be a liaison from the Council and volunteered for that role. City Manager Storlie stated she would check the rules. Police Chief Cook addressed the Council noting that the lateral process will include thorough background investigations. Councilmember Fleming also indicated she would like to discuss the rate of police leaving EPD. It was noted that there is a police officer shortage, and that cities and municipalities compete to hire officers. Discussion followed. The Motion passed 9-0.

A3 – Councilmember Fleming made a Motion to approve the agreement with Altura Solutions for the ADA Transition Plan Update and Councilmember Nieuwsma seconded the Motion. Discussion followed. In response to questions from the Council regarding a lack of funding for the update, City staff members reported that the implementation is a legal requirement. The Motion passed 9-0

AP1 -Councilmember Revelle made a Motion to approve appointments to the Reimagining Public Safety Committee and Councilmember Wynne seconded the Motion. The Motion passed 9-0.

Call of the wards.

Council member Wynne had no report

Councilmember Nieuwsma reported that he would hold his first ward meeting at Crown Center on June 1st.

Councilmember Burns reported that the property at 2012 Maple has been torn down in the last few days and that he is working to get affordable housing built there. He reported that the District 65 infant and toddler program has ten slots available at the Joseph Hill Center for ages 0-3. He also reported that annual water main improvement work is being done on Foster between blocks 2200-2300.

Councilmember Suffredin had no report.

Councilmember Revelle stated that she would like a bird-friendly ordinance that would ask the community to incorporate bird friendly aspects into building projects.

Councilmember Reid thanked everyone for the work they had done. He made a referral that would allow 10 minutes of debate per council member at upcoming committee and council meetings. He also referred to the Rules Committee an initiative for up to \$10 million in ARPA funds to be allocated to a participatory budget process. Councilmember Reid then requested that the City legal department review the feasibility of ending distribution of the Daily Crime Journal. He then proposed that the Planning and Development Committee discuss overlay zones and consider implementing a few when public access is cut off. Councilmember Reid referred an ordinance to the Planning & Development to allow a limited number of food trucks along the lake front and referred a matter to the Public Works Committee for a graduated City fine structure based on income, indicating he had asked City staff to review this issue.

Councilmember Fleming requested that the Council discuss access to public garden plots. She also requested that the public safety squad room report no longer be shared and noted she had received an email with concerns regarding placement of persons on the sex offenders list and that she would like to discuss this with City staff. She also reported on Ninth Ward community building activities, including a yoga class.

Councilmember Kelly thanked the residents of her ward and made a referral to the Council for a resolution requiring a vote for any City position listed as newly-created, as indicated in Part 5 of the 2021 budget.

Councilmember Braithwaite thanked residents of his Ward and referred to a recent flyer from CL Niehoff, indicating that the company is not planning on building a larger footprint, but are only planning remodel of the property.

The meeting adjourned at 10:52 pm. There was no Executive Session.