July 2008

Your Communication and Information Resource

Harry douses lakefront expansion plans

Osterman speaks out on condo issues

By Jack Winans

Attending an ASCO (Association of Sheridan Condo/Co-op Owners) open meeting in MECA's Windjammer Road June



12 were 24 interested parties, including representatives from about 20 buildings on Sheridan Road. ASCO President Sheli Lulkin invited Illinois Rep. Harry Osterman to speak on several current issues plaguing condo owners. Our own ASCO representative, Sandy Chaet, served as host. Sheli announced that Osterman would address four topics and answer questions.

Legislation

"I have a great deal of respect for the people who live on Sheridan Road," Osterman said. "They have been important to me and my family and I hope to visit many of the buildings on Sheridan Road this summer to talk with residents about those issues that are important to them."

A lot of bickering is going on in Springfield about the budget and other issues. This year's budget puts a little more money into the Chicago Public Schools and the Department of Aging. It hasn't been signed yet.

Pay to Play ethics reform has finally passed. Donors of over \$25,000 will not be able to get a state contract. I've proposed legislation that would cap campaign donations. Recall legislation was not passed. The House passed it, but it did not get called up in the Senate.

I also focused on gun control. I believe guns are too easy to get. I wanted to make it harder for criminals to get guns, especially semi-automatic guns. NRA lobbying defeated all these efforts by two votes.

I also focused on lead poisoning. We did get legislation passed requiring warning labels on toys with lead.

A significant problem is with senior citizens overpaying or paying their property tax twice and then having a problem getting their money back. We have put a system into effect that alleviates this problem.

We have expanded gymnastic and senior programs at the Broadway Armory. We are hoping to get state-federal-local money to build a state-of-the art library to replace the Elmdale library. I'm working with the new area CPD commanders asking for more foot patrols so that residents will be safer on our streets.

The CTA and public transportation is important to this area. I made sure there were funds to keep the system functioning. Thorndale and Bryn Mawr elevated stations are in desperate need of repairs and upgrading. By fall all buses on Sheridan Road will have GPS. This will allow those with Internet access to see the actual location of all buses and hopefully, eliminate long waits.

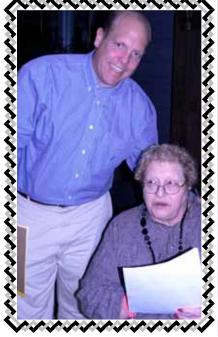
The electricity issue

Last year, I spearheaded an effort that resulted in a ruling that all common areas in condos would be charged at a residential rate, not at the commercial rate as ComEd had done. Now ComEd is asking for another increase. It is before the Illinois Commerce Commission. CUB can be reached for input and comment at citizensutilityboard.org. Please also write to Attorney General Lisa Madigan.

Ouestions

1. What moneys are going to develop and improve the El stations? The money will come from federal

SEE **OSTERMAN** PAGE 8



Illinois Rep. Harry Osterman, featured speaker at the June 12 ASCO open meeting held in the Malibu East Windjammer Room, with ASCO President Sheli Lulkin

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MECA board meeting notes

by Elaine Winans

MECA board meeting Tuesday, June 24, 2008

Attendance: 10 board members, 2 management representatives and 9 residents Not present: Avany Penaherrera, Steve Ransone

Presiding: President Marcel Molins

OPEN FORUM 1

Resident comments and questions:

Water damage to unit from another unit's broken water heater. Insurance and claim problems. Reported by phone call.

Must report facts in writing to the office before action can be taken.

- The new garage doors look great!
- 3) 36th floor resident complained of numerous lit cigarette butts being thrown onto her balcony from above. A letter will be written to all residents from which the butts could come from.

TREASURER'S REPORT

Neil Warner

Financial statement

Balance on hand, cash and reserves \$2,992,621.37

2) Delinquencies \$59,476.32

3) Audit

Hope to have audit soon for Finance Committee to review.

COMMITTEE REPORTS

1) Rules and Regulations

Cass Buscher

Will propose new rules:

Limits on time for remodeling construction.

Fines for harassment of MECA employees.

2) Security

Sandy Chaet

Operator on lower level automatic door on order.

Will look at stocking replacement panels for the automatic doors.

Social and Educational

Sandy Chaet

Upcoming events include a luau, Social Committee meeting and Candidates Night. (See notice, page 3 and

MECA events, page 4.)

Commercial Property Avany Penaherrera

Marcel Molins

Will have a new tenant taking over the Live Life Fit location.

5) Architecture & Aesthetics

Steve Ransone

Chris Chiodo

Elevator marble floors will be polished tonight.

Some flowers on the fourth floor deck had to be replaced due to damage from the windstorm.

6) ASCO report

Sandy Chaet

June 12 meeting (See article, page

The condominium unit rental rule bill is on hold.

Required licensing of property managers is being lobbied. We will have to do more work with this.

Planter between East Point and our building at the lake end of Glenlake will be planted this weekend. Our maintenance crew will repaint the curb yellow.

7) Garage

Martina Molins

Standard Parking report Shade Little, Mgr.

Monthly audit May 31, 2008

Claims

3
3
1
7

Waiting lists

Single self-park: Tandem self-park: 0 Second car:

Monthly parkers

Valet:	<u>487</u>
Total:	487
Garage capacity	
Single	144
·	

Tandem:	72
Valet stalls:	295
Valet aisles	20
Motorcycles:	3
Total:	534

Please keep in mind that the meeting notes are not the official record of the MECA Board of Directors meetings. The official minutes are generally approved at the following meeting and may be viewed or copied in the management office.

(Under capacity) 47

Changes

New monthlies: 5 Cancellations: 5 Upgrades

8) Public & Community Affairs **Sandy Chaet**

FOTP (Friends of the Parks) community meeting about the northerly extension of Lincoln Park. (See article, page 9.)

9) *Pets*

Sandy Chaet

Need to sanitize the dog run and apply more gravel.

10) Sports and Entertainment Neil Warner

Swimming pool open after repairs. Looks good. Water aerobics class have begun; schedule on the bulletin boards. New yoga class begins July 7; new members welcome to join

11) Long Range Plans & Special Pro-

Eleida Gomez

Samples of carpet for the mall displayed for a month. We will discuss choices further.

12) Communications

Cass Buscher

The Dialogue continues to post a

13) Building Maintenance & Services **Steve Ransone**

Chris Chiodo

Receiving Room back in place. Will install new lights in the bike room and the garage employee stairwell.

14) TV

Cass Buscher

Cable Committee meeting 7:30pm Thursday, June 26 to discuss our options.

MANAGEMENT REPORT Items requiring immediate board ac-

1) Elevator contract discussion

Dean Lerner

Proposals for elevator maintenance contracts.

Both Otis (\$297,000) and ACM

ELECTION DATES

Application deadline: 5pm Aug. 1 Proxies mailed: Mon., Aug. 18 Candidates night: Wed., Sep. 3 Annual meeting: Tue., Sep. 16

(\$273,000) proposals are comparable in price. Otis also proposed a separate rider with a special price (\$62,000) for a list of specific repairs and replacements that may or may not be needed and may or may not be done but could cost up to \$150,000.

Dean reports that some of this work likely will need to be done before the end of a five-year contract.

The ACM contract was approved subject to the inclusion of specific contract revisions.

ACM's proposal for installing emergency key access to the freight elevator was approved.

ACM's proposal for upgrading the elevator control buttons was not acted on at this time.

2) Pay phone discussion

We have a pay phone installed in the lower level by the Receiving Room. It gets used about 20 to 40 times a week. A new phone company will charge \$75 per month for this phone if it is not removed.

We authorized to have the phone removed.

3) Garage construction project final payment

Final payment for 2007 work approved.

4) Swimming pool repairs final payment

Final bill for the amount on the original contract for pool repairs approved.

5) Proposal for critical and ongoing façade inspection 2008

Contract offered by Klein & Hoffman approved.

Critical inspection is on the west and the south. Ongoing maintenance is on the north and the east.

6) Discussion on elevator rules

We need to remind residents about the specific uses of the passenger and freight elevators and we need to enforce the rules of use with fines, if necessary. A letter will be sent out to residents defining the use of eleva-



What's happening around the building

by Chris Chiodo, MECA Manager

Assessments: Assessments are due by the first of each month. A late charge will be assessed for any delinquent account at the close of business on the 15th of each month.

Please send remittance to:

Malibu East Condo Assoc.

% Sudler – 80

8401 Innovation Way

Chicago, IL 60682-8401

The management office will not accept assessment checks.

Tennis court: The tennis court is for tennis use only. No other activities are allowed on this court

Fourth floor deck: No running, roller skating or roller blading, baseball, or any other activity which may be dangerous to other residents shall be conducted on the fourth floor deck.

Swimming pools: Swimming pools have been open since June 20. Be sure to have your swimming pool tags or you will not be granted access to the pool area. Children under 12 must be accompanied by an adult. Guests will not be allowed to swim on their own; a resident must be with them at all times. The lifeguards are there for your safety. They are NOT babysitters. If you need to leave the pool for any reason, you must take your children with you. We cannot and will not babysit your children for any reason. If you plan to participate in the water aerobics classes, you must sign a waiver first. A schedule of classes will be posted.

E-mail: You may contact the management office or the board of directors for any reason, with requests, concerns, problems, etc. E-mail to:

malibueast@awb.us

tors.

7) Repair of lobby wall near drainage repair

This is an area (behind the temporary lobby partition) where sections of the marble wall had to be removed for drainage repairs. The broken marble cannot be replaced. The lobby wall will get a temporary repair until a more permanent solution is found.

8) Mall carpet replacement

Discussion of the merits of the two samples on display and whether or not a border is preferable to no border.

No action taken.

Items requiring future board action

1) New HVAC contract

Only one bid at this time.

- 2) New racquetball court HVAC Waiting for a new HVAC contract.
- 3) New automatic door operators
 Discussion on the freight elevator/
 lobby and lower level West Sheridan
 Road automatic door closers. Proposals and diagrams not ready.

Items not requiring board action

1) Façade ordinance repairs

Discussed above

2) Garage construction project Fans in garage need cleaning.

3) Laundry room project

June 16, three electrical contractors came here with plans to investigate the possibility of increasing the amperage into the laundry room. It was suggested that if the exhaust motor for the laundry drier air were upgraded, it would improve drying time. An estimate was given of \$70,000 to \$90,000 to upgrade the amperage. Doesn't look like this is an economical solution. Still have the option of installing gas.

4) Unit sales

32E	\$221,500 pending
18B	\$265,000 pending
26D	\$225,000 pending
43K	\$212,500 pending
14A	\$365,000 pending

5) Budget

Board members requested to get their ideas for future capital projects to the management office so that we can put some numbers to them.

The meeting ended at 10:18pm and went into closed session.

Community Calendar

by Miriam Romain

COMMUNITY AFFAIRS BERGER PARK **CULTURAL CENTER**

Computer class

For seniors (60 & over) Fridays, 2-4pm FREE 6205 N. Sheridan Rd. 773-761-0376 tinyurl.com/2zwq4h

EDGEWATER BRANCH LIBRARY

CAPS 24th Dist. Beat #2433 Come meet our beat police. Wed., Jul 2, 7pm (1st Wed. of every month) Saturday Book Club 11am 1st Sat. month 1210 W. Elmdale 312-744-0718

EDGEWATER GREEN MARKET Formerly the Farmer's Market

tinyurl.com/32obm5

7am - noon Saturdays to Oct. 18 (Subject to availability of product.) Corner of Broadway and Norwood



THEATER/SHOWINGS

BLACK ENSEMBLE THEATER

"Those Sensational Soulful 60s" 8pm Fri./Sat., 3pm Sun., \$45 4520 N. Beacon 773-769-4451 blackensembletheater.org

LIFELINE THEATRE

"The Mark of Zorro"

Based on the novel by Johnston McCulley.

7:30pm Fri., 4 & 8pm Sat., 4pm Sun., \$25



Thru July 20 6912 N. Glenwood 773-761-4477 lifelinetheatre.com **NEO-FUTURARIUM** THEATRE

"Too Much Light Makes the Baby Go Blind"

One of the longest-running shows in Chicago. First performed Dec. 2, 1988, the "menu" changes with an attempt to perform 30 plays in 60

11:30pm Fri./Sat., 7pm Sun. \$8-\$13 (\$1 plus the roll of one sixsided die) 5153 N. Ashland Ave. 773-275-5255

neofuturists.org

RAVEN THEATRE

"Laughter on the 23rd Floor"

This hilarious play shows the writing room's outrageous antics and increasing stress levels under the pressures of rising McCarthyism and television executives resistant to sophisticated humor.

8pm Thurs.-Sat., 3pm Sun., \$25 6157 N. Clark 773-338-2177

raventheatre.com

THEATRE BUILDING CHICAGO "Jekvll & Hyde"

The Bohemian Theatre Ensemble presents its rendition of this classic. 1225 W. Belmont 8pm Fri. and Sat., also 4pm Sat., 6pm Sun., \$27

Through July 20 773-327-5252

theatrebuildingchicago.org

MECA EVENTS/MEETINGS

Dialogue Committee meeting

Wed., July 16

7:30pm — Community Room

Thursday Afternoon Discussion Group

Thurs., July 17 (Every 3rd Thurs. of the month) 2pm — Community Room

MECA board meeting

Tues., July 22

7:30pm — Windjammer Room

Social Committee meeting

Thursday, July 24

7:30pm — Community Room

MECA luau party

Saturday, Aug. 2

Time to be announced — Windjammer Room

Residents Committee meeting

Tuesday, Aug. 12

7:30pm — Community Room

White elephant sale

Saturday, Sep. 13

Time/place to be announced

Flu shots

Thursday, Oct. 16

Time/place to be announced

Leave event and meeting notices at the desk for the Dialogue.

July holidays

National Cell Phone Courtesy Month



July 4

American: Independence Day

Anniversary of the adoption of the Declaration of Independence; marked by fireworks, picnics, and parades.

July 6

Tibetan Buddhist: Birth of the Dalai

Observance of the birth of the spiritual leader of Tibetan Buddhism, born July 6, 1935.

July 9

Baha'i: Martyrdom of the Bab

Commemorates the execution of the Bab, the prophet-herald of the Baha'i faith.

July 13-16

Mahayana Buddhist: Ullambana

Also known as Ancestor Day; a Buddhist festival honoring the dead.

July 18

Theravada Buddhist: Asalha Puja / Dharma Dav

Celebration of the Buddha's first sermon at Deer Park (Sarnath).

July 23

Rastafarian: Birthday of Haile Selassie I Commemorates the birth of the former emperor of Ethiopia, who was also known as Ras Tafari, for whom the faith is named.

July 24

Latter-day Saints: Pioneer Day

Honors the pioneers who traveled to Utah under Brigham Young; festivities include parades and community events.

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Special MECA Annual Meeting and directors election section

So you want to be a board member?

By Jack Winans

It's a pretty big pair of shoes to fill — do you have the qualifications? More importantly — do you have the dedication? You will not only be volunteering your talents, but a huge chunk of your time, time that you may later resent being taken from your already busy lifestyle.

Are you a crusader, or a true representative of the owners? Do you speak for yourself or for the best interests of the association? Are you willing to yield to the expertise of other board members and the association manager when issues stray into areas not of your expertise?

And is your agenda pure? Can you be fair, objective and calm when other board members and owners may strongly disagree with your stand on issues? Can you place your trust in others? You may disagree with the majority vote, but you must have confidence that they have the best interests of the association at heart and not only abide with board decisions but support them.

Are you open to discourse by anyone at any time? Because you are a board member, owners will take the attitude that your time is their time, anytime. They'll approach you in the hall, the elevator, the mailroom, the laundry room, anywhere, and assume that you have the time to listen to their complaints and ideas and have the expertise and the power to solve their problems on the spot.

Can you take abuse; how thick-skinned are you? Some owners will have the attitude that you, as a board member, are responsible for whatever difficulty they are experiencing and accuse you of being indifferent, vindictive, corrupt or worse, in language that may be really coarse and vile

I'm sure that you have applied all of these reasons to arrive at a conclusion that running for the board of directors is a really, really bad idea. But worse, you also realize that if you don't volunteer, you are leaving the position open to someone whom you may not approve of

NOTICE

All director candidates are requested to provide the Malibu East Dialogue a statement of their candidate qualifications and a list of objectives and priorities if elected.

Please submit fresh material, not a copy of your original Candidate Form. Please keep your submission under 150 words.

Please note that submissions may be edited for space, but not for content.

or may have self-serving motives.

So what are the benefits of board membership, if any? There is, of course, the prestige of the position, knowing that you were selected on your merits to become one of 12 owners to represent all 500. Also, there is the satisfaction that most people derive from serving others and contributing to the good of their community. You may also see it as an obligation to return to your fellow owners the gift of self that so many others have instinctively given to you.

Whatever your reasons, the Malibu East Board of Directors and owners encourage you to participate in the government of our building.

Electioneering policy

By Jack Winans

At the July 29, 1997, MECA board meeting, the board took the following action to open the election process in order to encourage more candidates.

- The management office will provide photocopying service at a reasonable rate for mailings.
- Campaigning would be allowed in the lobby during specified dates and times. Flyers pre-approved by management and prepared at the candidates' expense may be passed out during those times.
- "Meet the Candidates Night" will continue to be held in the Windjammer Room, offering owners the opportunity to meet and discuss issues with board candidates.

Election notice

Our Declaration requires that our Annual Meeting take place within 30 days before or after the first Tuesday in October. Accordingly, the 2008 Annual Meeting of the Unit Owners of Malibu East Condominium will be held at 7:00 p.m. Tuesday, September 16, 2008 in the Windjammer Room located on the fourth floor of Malibu East Condominium, 6033 North Sheridan Road, Chicago, Illinois. A formal notice of this meeting with a proxy attached will be mailed to all voting members of record on or about August 15, 2008.

At the Annual Meeting an election will be held to elect six unit owners to serve as members of the Condominium Board of Directors. The six (6) nominees receiving the highest total number of votes shall be elected as directors for two (2) years. The following directors' terms are expiring:

Cass Buscher, Sandy Chaet, Marcia Fishman, Marcel Molins, Barbara Murphy and Neil Warner

The six individuals elected at the annual meeting will join the following directors, who have one year remaining on their terms:

Eleida Gomez, Leon LeRoy, Martina Molins, Avany Penaherrera, Steve Ransone and Richard Strauss.

There will be a "Meet the Candidates Night" in the Windjammer Room on Wednesday, September 3, at 7:30 pm. Please plan to attend.

Source: Excerpt from June 20, 2008, letter to unit owners from President Marcel Molins

Special MECA Annual Meeting and directors election section

How to be a good FID dude

Meeting your fiduciary duty as an association board member and saving your assets

As a board member for your condominium association, you are responsible for the operation, care and upkeep, maintenance, replacement, and improvement of the common elements. In addition, board members are required to prepare, adopt and amend administrative rules and regulations governing the day-to-day operation of the association, formulate annual operating budgets, respond to litigation, review and approve building additions and alterations, and generally accommodate the endless needs of unit owners. In short, the association has all of the powers and responsibilities of a not-for-profit corporation. Board members are required to do all of this in their free time, without compensation, and most often times without praise. The most important requirement for acting as a board member, however, is that you carry out your responsibilities according to the elevated standard of a fiduciary!

Illinois law requires that in the performance of their duties, the officers and members of the board are required to exercise, whether appointed by the developer or elected by the unit owners, the care required of a fiduciary of the unit owners. The courts have defined the fiduciary relationship as a special confidence reposed in one who, in equity and good conscience, is bound to act in good faith with due regard to the interests of the other, and requiring strict compliance with the condominium declaration and bylaws. Simply stated, a board, through its members, must act reasonably in its administration of the association by following all of its bylaws, rules and regulations as well as abiding by the declaration and the Condominium Property Act.

When the board and/or its members either negligently conduct the business of the association, or worse, willfully and wantonly disregard their duty, it is likely that a court will find liability on behalf of the board and its members for breaching their fiduciary duty. Many associations,

in an effort to shield their board members from liability, have included an exculpatory clause to their declaration limiting the scope of fiduciary duty to willful misconduct. For example, the declaration may state "[n]either the directors, Board, officers of the Association, Trustee, nor Developer shall be personally liable to the Unit Owners for mistake of judgment or for any other acts or omissions of any nature whatsoever as such directors, Board, officers, Trustee or Developer, except for any acts or omissions found by a court to constitute gross negligence or fraud." The purpose of such clauses is to allow board members and officers to act with a certain level of protection so as to not unduly hinder their ability to perform the day-to-day administration of the association. In an era of increasing litigation, one could imagine that an association may become virtually deadlocked if every decision a board member made could subject them to personal liability. Even worse, an individual's willingness to volunteer to become a member of the board would disappear if not for some type of protection.

Illinois courts have found boards and their members to be in breach of their fiduciary duty by disregarding the association's bylaws, impeding a unit owner's right to free enjoyment of her unit, or failing to properly prepare the annual budget. Specifically, in one case, a court found a board and its members guilty of constructive fraud and in willful breach of their fiduciary for refusing to approve a unit owner's plans for the reconstruction and renovation of her penthouse, following the demolition phase, which caused numerous problems and damage to the common elements and other units. The court awarded plaintiff \$869,609.32, finding that the board's extreme lack of cooperation and unreasonable delay in approving construction plans amounted to a willful breach of its fiduciary duty.

In another case, the court sustained a unit owner's complaint against the board and its members for willful and wanton misconduct, for exercising its right of first refusal with respect to the sale of a unit, without obtaining the requisite affirmative vote of 2/3 of the ownership of the

association. The court reasoned that the board and its members were cloaked with full knowledge of their declaration and bylaws, therefore requiring strict compliance thereof. The case involved allegations of discrimination and violations of civil rights, which could result in substantial damages, including punitive damages. Cases of this nature are occurring more frequently because board members fail to read the declaration and bylaws, and more importantly fail to seek legal advice regarding the interpretation or effect of certain governing rules and regulations.

In many lawsuits by unit owners, the association's general liability insurance carrier provides a legal defense for the board and its individual members. However, most policies exclude indemnification for willful and wanton acts, including fraud and constructive fraud, which are common theories pled against a board and its members in breach of fiduciary duty cases. Moreover, as discussed above, if the court finds willful and wanton misconduct, the member is also not entitled to indemnification by the association. As such, a board member may be subject to personal liability and responsible for contributing to the payment of a judgment award. Consequently, each time a board member makes a decision regarding the affairs of the association, he or she is potentially placing their personal assets at risk if they act in contradiction to their fiduciary duty.

In order to be a good fiduciary, each board member should read or review their respective declaration and bylaws. When making decisions, one should ask themselves if the choice they are making is reasonable and fair to all members of the association. And lastly, in particularly complicated matters or matters of potential or actual litigation, the board should seek the advice of an attorney experienced in the highly technical area of association law.

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OSTERMAN FROM PAGE 1

and state money that I'm trying to get. If you have ideas, give them to me.

2. What about the overpasses such as the one at Glenlake?

There are worse viaducts where you can see the rebars. The Red Line has been passed over. CTA Commissioner Huberman lives near Wilson, so hopefully some money can be raised for the Red Line. The Red Line is the most heavily used in the city. They have been working on the "slow zones" in the Red Line.

- 3. What about the idea to bring up the "Constitutional Convention"? I don't think that is a bad thing to bring up this issue every 40 years. Those with pensions that are statefunded have some fears about this, but this should not keep us from facing changes that need to be done.
- 4. Is the money being spent on the CTA tied to the Olympics? Is this why the money is not being spent here?

Renovating the Red Line must be a priority now, regardless of the Olympics.

5. What is being done to remove the teenage loiterers outside the Armory?

This is one of the things that more foot patrols could address. We have to differentiate between gang members and honest students who are just hanging out after a session at the Armory.

- 6. What about school-funding reform? Illinois is 49th in this area. We do not do enough to fund our schools or to keep our teachers. I feel nothing will be done until we have a new governor. Part of this problem is property taxes. The governor has said that he will veto any effort to increase state income taxes in order to reduce property taxes.
- 7. I thought that the lottery was to go to education. Is this an urban legend? The proceeds do go to education, but it amounts to less that 10% of the state school budget.

Condo advisory

I have noticed that every time there is a condo problem, someone files a bill. We

need to take a step back and talk to condo owners, associations, and management companies about what is important to them. We have finally set up a Condo Advisory Council (See April 2008 Dialogue) to review the condo act and make it more interactive and user friendly. Sheli and I are on this commission. Florida has an ombudsman. Associations pay a small fee for this state position that gives owners the opportunity to make complaints and resolve problems without resorting to litigation.

Questions

- 1. There should be some way to enforce the condominium act.

 There is no way now and there has been some fraud by management companies. Enforcing the Condominium Act will be an issue we address.
- 2. What feedback have you had on the ombudsman proposal?
 We haven't had enough feedback from Florida to use their experience.
 There could be different types of ombudsman. We need more feedback from owners in order to better define this issue.
- 3. Audience comment: The City of Chicago has a successful ombudsman for those in nursing homes. The long-term care ombudsman.

This summer we will be holding a hearing of the Condo Advisory Council in Edgewater, date and time to be determined. If you are interested in this hearing or would like to offer input to the Advisory Council, please contact Rep. Osterman's office at hjo17@aol.com.

Lakefront issues and development

Illinois is the only Lake Michigan coastal state that does not get federal money for coastal management — amounting to \$2 million a year for 30 years. I am pushing to get the governor to finally finish applying for this money. The other issue is the Great Lakes Compact, which is a formal agreement by Great Lake states to work together on water conservation, water withdrawals and other issues. I sponsored and helped pass this legislation in Illinois, and we are waiting for Wisconsin and Ohio to enact this legislation before it is ratified by Congress.

Questions

1. Does this affect issues like pollution and BP?

This is another issue separate from this "use of water." We do need to get this resolved in order to protect our water supply.

2. Has the dredging of the St. Lawrence Seaway been the cause of our lake level dropping?

Yes, this is one of the biggest reasons, and we are trying to do something about it through the DNR (Dept. of Natural Resources), but their emphasis is mostly on downstate hunting and fishing.

3. Will this issue be in the coming November elections? I'll be getting representatives interested in these issues.

FOTP meetings on lakefront improvements

FOTP (Friends of the Parks) is a nonprofit organization of people that come from all over. They can do good work and in the past have been an ally to our community in saving the mansions at Granville and Sheridan, and supporting the Park District purchase of the Broadway Armory. They are trying to extend lakefront parks to the city's north and south limits. They hold charrettes (collaborative session in which a group of designers drafts a solution to a design problem) to push their agenda. North and South condo associations appear to want the lakefront to remain as it is. FOTP has never come to Sheridan Road residents first. I am resistant to any change, including islands to extend the park or an extension of Lake Shore Drive. The cost and the pollution that this would cause are untenable. I have an open mind, but that open mind predicates itself on the comfort level of the people on Sheridan Road. I am your fiercest advocate on this subject.

Questions:

How about the people that live west of the lake?
 I live west of the lake, and the people that I know feel the same way.
 There is a local commonality about

There is a local commonality about these views; it's not them against us. I've told both Tim Mitchell, Friends of the Park, and representatives of the Mayor what my attitude is on this issue. The people on Sheridan Road do not want this. There is no money to do this anyway, so why have a big fight about this?

- 2. What about the people in Evanston?
- They don't want it either.
- 3. What is the effect of more traffic if the drive would be extended? Pollution and traffic would reduce the quality of life here during and after construction.
- 4. What are you doing to help current traffic congestion?

 I am working to open a Metra station at Peterson and Ravenswood, and I am open to other ideas to reduce traffic on Sheridan Road.
- 5. I've heard that the bicycle federation is for the extension of the park and feels the mayor is behind them. I don't feel he would come out for it because of the very strong opposition on the North Side.
- 6. How about U.S. Cong.. Schakowsky?
- She and I agree on this issue.
- 7. What can we do as individuals to prevent this lakefront park expansion from ever happening?

First, you must make your opinions known. You must let them know why you are against it and let them know you will make their life miserable. Let your elected officials know. Have your condo boards write to the elected officials with your opinions, what you are against and what you want.

Sheli Lulkin:

There are things that we can do to use the lakefront better as condo associations, including improving our own lakeshore condo back doors.

ASCO suggests that members and owners go to the FOTP meetings (charrettes) and participate. We don't endorse the meetings, but we must go and participate and give our opinions.

Each of the charrette's designs had something objectionable, parking on the islands, bike paths on filled-in land next to the condos, reduced security of our condo's back doors.

Kelli Emery of Thorndale Beach South:

We sent out an informal resolution to all of our residents — 100% of those voting were against any expansion of the lakefront, including islands, the bike path and the Lake Shore Drive. The South Side's

5th Ward and the North Side's 49th Ward have made non-binding resolutions and referendums against these expansions. The 48th Ward has not done this yet. We at Thorndale Beach South are distributing a petition for a proposed referendum for signatures. (During the reading [see below] of the petition, there was some discussion and disagreement on the wording and timing of the resolution.)

The resolution:

PETITION FOR REFERENDUM

We, the undersigned duly qualified voters residing in the 48th Ward of the City of Chicago, County of Cook, and State of Illinois, pursuant to section 28-1 et seq. of the Illinois Election Code, do hereby petition that the following question of public policy be placed on the ballot and submitted to the voters of said ward for their approval or disapproval by referendum, in the manner provided by law, at the General Election to be held on the fourth day of November, 2008.

Should the City of Chicago, State of Illinois and Federal Government prohibit lakefront expansion from Hollywood Ave. to Evanston that includes extension of Lake Shore Drive or establishment of any other roadways, marinas or harbors, housing, major landfill or commercial development? Yes__ No__

Copies of this petition are available through our MECA community/public affairs representative, Sandy Chaet.

TBSC lakefront park expansion vote

By Kelli Emery

This spring TBSC (Thorndale Beach South Condominiums) sponsored an informal referendum to assess our unit owners' attitudes regarding the expansion of the lakefront from Osterman Beach north to the Evanston border. Almost 50% of the unit owners voted in this referendum and 100% of those who voted, voted their opposition to any landfill. Therefore, the TBSC Board of Directors hereby goes on record formally and officially declaring its opposition to any landfill from Osterman Beach to the Evanston border. Furthermore, TBSC will communicate our formal opposition to the landfill project to all the other ASCO member buildings.

Park plans bomb

Commentary by Jack Winans

Two beefy security guards warily eyed the more than 200 Edgewater residents crowded into a standing-room-only meeting at the Broadway Armory June



19. Raw feelings were evident, as the moderator had his hands full controlling the at times raucous, noisy and belligerent comments of two partisan factions.

Sheridan Road condo residents were there in force to forge forward their objections to any and all incursions of park or lakefill at their back doors. A smaller group was there insisting they had the right to total ingress to the lakeshore despite the rights of the present landowners.

FOTP (Friends of the Park) representatives attempted to give a sometimes halting and unprofessional presentation to a response of jeers and boos. The poor use of a shoddy speaker system and a barely visible slide show left the audience with more questions than answers.

The many variations of the FOTP designs to extend the park system from Ardmore to West Sheridan (Devon) were met mostly with disdain and suspicion. All of the designs included extensive lake fill, lagoons, islands, inland waterways and additional beaches.

Many in the audience believed that the park extension plan is merely a ploy to bring about the extension of Lake Shore Drive and massive lake fill. This would entail the spending of billions of dollars and tax increases to the already financially stressed condominium organizations and owners already faced with the cost of maintaining aging buildings and pricey city-mandated inspections and upgrades and would also result in a decade of construction noise, chaos and congestion.

It appears that the FOTP will continue to push their agenda in spite of overwhelming negative opinion from the community.

The meeting closed with the gloomy predictions of a geologist. He said that the lake will continue to drop and our beaches will erode due to the diminished supply of sand.

Dear Etta Kitt

I am writing today with a concern I hope you will address for me and several neighbors I have spoken to.



The laundry room is shared by most residents and is the responsibility of each to do their part to keep it clean. We need to address the issue of cleaning out the dryer lint traps after use. Lately I had to clean out the lint trap on each of the dryers I used prior to using. As a responsible owner and neighbor I cleaned out the lint traps afterwards, as everyone should do.

It is very easy to clean the lint trap when the drying cycle is complete, especially if you use your dryer sheet to swipe the trap. Such an easy thing to do and such a treat to the next person to use the dryer.

Please address this for me in an upcoming issue of the Dialogue. I would truly appreciate it.

Thank you,

Steven Shive

Mr. Shive,

Thank you for your letter with comments concerning the lack of residents' attention to lint traps in the laundry room. We have in the past addressed a "laundry" list of items concerning the laundry room including:

- Lint traps not cleaned after use
- Dirty clothes sorted on the laundry tables
- Clothes left in dryers and washing machines for too long a time
- Children playing unsupervised in the laundry room
- Carts blocking the aisles and the laundry tables
- MECA grocery carts being used for laundry
- Over-sudsing due to too heavy use of laundry products
- Dryer doors left open, blocking the aisle
- Washing machine lids not left open after use
- Clothes stolen from dryers and washing machines

We will continue to address these issues and others in the Etta Kitt column, in articles and in the management report as space permits. 'Town Crier'
announcements
by Rodica Ilc



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If you have information concerning talented or famous MECA residents, please contact the Dialogue.

Balcony Man by Scott Virzi



















Page 11

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Restaurant review

By Betty Mayian Habibi restaurant within walking distance

As soon as I finished the previous review, I found another restaurant that is even closer to Malibu East



than Uncommon Ground. Ara and I got a menu from Habibi Middle-Eastern restaurant at 1225-27 W. Devon. The menu was a take-out and delivery menu, but they also serve in their dining room. I've always found that eating in a restaurant is a better way to see if you like the food and the owner. You can check out the cleanliness and voice complaints or compliments on the food directly. They sometimes give you a little more when they see your face. In this instance, everyone who came into the establishment got hot cinnamon tea with their meal. The owner and server smiled and asked how we liked the food. We got a chance to tell them the truth of what went well and what did not. I like that. In our case, almost everything went well.

The owner seemed quite eager to please his guests. The décor is Egyptian, so I asked him if he (or his food) was Egyptian. (We never had an Egyptian-owned restaurant in our neighborhood.) He told me that he was Jordanian, but the décor was Egyptian because people from all over liked Egyptian scenes. This is probably true. The place is large and has seating for 100 people. The chairs are soft and roomy. There is room enough to have small parties or meetings without disturbing other guests. Cloth napkins were given, even at lunch. The costs are low and the food is very good.

Our first trip to Habibi was to sample the cuisine by ordering appetizers and a bowl of soup. This way we could try a variety and not fill up on rice or even large portions of the same thing. We love Middle-Eastern foods, so we knew in advance what would please us. First, we tried the humus with olive oil. I loved this chickpea concoction and, except for the bland pita bread, it served well for an appetizer (especially if you get a wedge of lemon or lime to enhance the flavor). Since I am not an eggplant lover, we did not order



the baba ghanoush. Next on the menu was falafel. Eight medium-sized fried balls of tasty chickpea and chopped vegetables. They were crispy and spiced just right and were sitting on a creamy tahini sauce.

Our next appetizer was tabouleh salad. A dish of parsley, diced tomatoes, onions, and cracked wheat compliment each other and are seasoned with olive oil and lemon juice. This dish was very nicely flavored and cleansing for your system. Probably comes in second to Wikstrom's Deli for the best tabouleh in town. We skipped the fatoush salad, but it also sounds good - much like a house salad would. Next time it will be on our list. But the best item of all was the kibbeh. Best ever - even rivals the old Casbah's version. The appetizer size was two small oval servings of fried ground meat and cracked wheat, perfectly seasoned and tasty. This was all the food we could handle on our first trip, except for the lentil soup, which was very good. I am so glad we stopped here on our way back from a Friday morning of doing chores and shopping. I had the waitress pack up the remaining tabouleh and asked for a small piece of baklava to be wrapped up to go. Ara and I ate it later in the day. It was fine, but I am not too big on Middle-Eastern pastries. It was just to taste. Oh, and one last thing was a cup of sweet Turkish coffee for Ara. He proclaimed it good, but not the best. I don't know since I was filled with a never-ending cup of Now, I will tell you what other things you might expect from the menu. Their seafood selections are a couple of varieties of salmon and also of grilled shrimp, served with a choice of two side dishes: rice, vegetables or fries. On our second trip I ordered the grilled jumbo shrimp. The meat entries are shish kababs of beef, lamb or chicken. Ara ordered Habibi (D), a combination of beef and lamb shish kebab. This was terrific. Our vegetarian friend ordered the vegetarian combo of hummus, falafel, grape leaves, and baba ghanoush. She also ordered a cup of lentil soup. Also on the menu are lamb chops, ground beef and lamb (kufta kebab) and marinated chicken legs. Mixed grills are offered that can mix any two kebabs. Special dishes included eggplant, cauliflower, carrots and chickpeas with pine nuts; shawerma plate, or lamb shanks. There is a selection of sandwiches, including grilled HOT DOGS. Vegetarians could have a field day here with a nice variety of vegetables and even vegetarian grape leaves. Always a vegetarian soup or two can be chosen. A nice selection of drinks, hot, cold - or even a cocktail. Check this out someday. I know we will be back and soon.

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Neighborhood notes

By Jack Winans Rats on Sheridan Road

We're used to seeing a occasional river rat along the revetments and rock piles on the lake side of Sheridan Road, but during the first week of June, six- to 12-foot plump rats appeared on the parkway along Sheridan Road condo canyon. The air-filled balloon rats were strategically placed to dramatize the efforts of Local 21 of the Pointers, Cleaners and Caulkers Union while picketing and protesting the lack of contracts with a few Sheridan Road condos and the use of non-union employees. MECA uses only union help.

Aborted ground cover

Ending a many-year failed experiment with a vine ground cover, neighboring Park Edgewater at 6101 N. Sheridan Rd. has reverted to grass for its front lawn.

Lake Broadway

Lake Broadway, an oversized rain puddle stretching from Elmdale to Glenlake and eight to 10 feet into the roadway on the east side of Broadway next to



Dominick's, is, unfortunately, an annual harbinger of spring. Due apparently to blocked or inadequate drains, it lasts for up to a month before drying up and leaving ugly detritus in its wake. Hopefully, Dominick's manager John Katsantones'

calls to 48th Ward Streets and Sanitation will remedy the problem.

6009 N. Broadway Dominick's parking lot will get a muchneeded makeover. Corporate parent Safeway has budgeted this project to begin next month. The makeover will include a reconfiguration of lanes, planting areas and entrances. Although the installation of a stoplight with turn lights and turn lanes at Elmdale and Broadway improved the traffic congestion tremendously, especially for us condo dwellers, the lot remained a quagmire of clogging and confusion as customers still tried to use the now closed exit on Broadway and were blocked from using the Elmdale west exit. Also, handicapped spaces were not easily accessible from the east entrance on Elmdale. The flower beds have not had attention or replanting since the remodeling several years ago.

John also reports that after two years of frustration, the air-conditioning system is now powerful enough to bring indoor temperatures down to 70°.

Editor's note: This column and byline is open for whoever is willing to make a monthly report. Duties would consist of walking the neighborhood, making notes and reporting interesting happenings, construction and changes in the neighborhood.





48th Ward news

Alderman Smith's office is coming to a block near you

The 48th Ward is taking to the streets this summer. Staff members will set up an "outdoor office" at various locations from 5:30pm to 7:00pm one day a week, providing information on city services, neighborhood groups and volunteer opportunities.

If any block club or local organization would like to join us at a particular location, contact Dana Fritz at (773) 293-8413 or dana@masmith48.org.

Dates and locations:

Granville "L" stop — June 5 Lawrence & Sheridan — June 11 Broadway & Argyle — June 17 Bryn Mawr & Winthrop — June 24 Clark & Catalpa — July 1 Berwyn "L" stop — July 8 Margate Park "Puptown" — July 15 Sheridan & Argyle — July 22 Ardmore Bike End — July 29 Goudy School Park — August 7

Zoning and Planning Committee rejects proposed Landmark District

By a vote of 20–8 with 7 abstentions, the 48th Ward Zoning and Planning Committee delegates voted down a proposal to create a City of Chicago Landmark District that would have included 15 structures in northeast Edgewater. The vote followed many weeks of discussion on the proposal by block clubs and community groups. Owners of properties on the list of 15 explained why the property owners strongly opposed the proposal. Both Loyola University and Sacred Heart School, which own property on the list, were opposed to landmarking.

Landmarking would have prohibited demolition of the structures, which are listed on the City's Historic Resource Survey as "orange" or having architectural or historical significance. Also, any proposed repairs to the exterior of the buildings would have had to pass scrutiny by the Landmarks Division of the Chicago Department of Planning and Development and meet strict federal



guidelines for historic preservation. Owners claimed that these restrictions would devalue their property and make repairs substantially more expensive. Proponents of the historic district advocated landmarking the structures because they consider them an integral part of Edgewater's history.

Ald. Smith is an advocate of city landmarking, when owners agree to it, as well as to listing structures on the National Register of Historic Places. The latter provides incentives for historic preservation but does not restrict what owners can do with the property.

The 48th Ward includes several National Register Districts and landmarked buildings.

Kennel cough

Patti Colandrea

We want to make everyone aware of the recent outbreak of kennel cough in the Chicagoland area.

Canine Infectious Tracheobronchitis (CITB) can be a progressive lingering respiratory tract ailment. This disease entity can be a significant clinical problem despite our most vigilant, conscientious, prophylactic and animal husbandry measures. It is very important to note that vaccines do not guarantee 100% immunity due to a host of interrelated reasons (over 50 strains of kennel cough alone).

Symptoms are a hacking cough, low appetite, vomiting and listlessness, very similar to when we have the flu.

If you notice any of these symptoms, please keep your dog at home and away from other dogs for at least two weeks or until all symptoms are gone. The strain that is going around seems to be evolving into a new type of canine flu. If your pet is vomiting often, he/she may need fluids. Be sure to call your vet and discuss recommendations for your pet's individual care.

We here at the Bark Bark Club take this current breakout of kennel cough very seriously and are taking all necessary measures to ensure that our beloved companion pets are kept safe from infectious disease.

Join the Dialogue staff

WANTED: Writers, photographers, ad agents, deliverymen, graphics techs, desktop publishing techs, editors — if you have a talent or just a good supply of story ideas, we can use you.

The Malibu East Dialogue is a rarity, a professionally produced and printed multi-page monthly condominium newsletter. As an added bonus, the Dialogue is typically published at no cost to our association owners due to paid advertising.

Call the editor or come to a staff meeting, 7:30pm in the Community Room the third Wednesday of every month. Watch the Community Calendar for changes or contact the editor at 773-334-0680 or Dialogue@MalibuEast.org.



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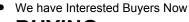
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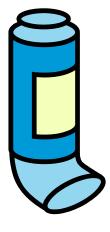
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Scams in the area

There appear to be a couple of scam artists working around the area, trying to separate people from a few dollars.

Inhaler scam

In one scam, an African-American male in his 30s is asking for some money to buy his daughter an inhaler for her asthma. As a rule the guy has an empty inhaler with him. This individual to know seems enough residents in the neighborhood to give the impression



that he has lived here a long time. As a rule if you ask a few questions about his daughter's illness, where he lives or where he is going to fill the prescription, the individual is short on details and leaves in a hurry.

Prescription scam

In the second scam, a Hispanic-looking male, also about 30, will come up with a story about someone having been taken to the hospital that day, and he needs money to fill the prescription. Sometimes it is someone in the neighborhood, or someone from his building, or even someone in his family. The reason has been anything from a mild stroke, a fall or an auto accident. Again, the guy knows a lot of people in the area and can provide enough names to convince others that he is legit. He talks a mile a minute, but if you ask questions, you can quickly get the idea he is spinning a story.

Call the police to report any suspicious activity.

Source: Edgewater Community Council

Editor's note: I was approached by the first individual in our own MECA atrium while in line to get into the garage. The scam artist actually had the nerve to put his hands on the opened passenger's side window-sill next to my wife, Elaine.

Malibu East Condominium

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The Dialogue

The Malibu East Condominium (MECA) Dialogue is published by resident volunteers to promote communication among owners, residents, the Board of Directors, management and staff of Malibu East Condominium, 6033 North Sheridan Road, Chicago, IL 60660.

Articles written by and opinions of the MECA Dialogue staff and contributors are their personal views and do not necessarily represent the views of MECA or its Board of Directors and management.

Letters to the MECA Displayer Committee are encouraged. Its staff reserves the right to edit those letters which it sees fit to print and to print only those with constructive content.

Letters to the Dialogue Committee may be left at the management office.

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