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Trustees	Michele L. Bromberg Karen Gray-Keeler Ralph Klein Randall E. Roberts Edie Sue Sutker Ilonka Ulrich
Manager	John T. Lockerby
Counsel	Michael M. Lorge

Awards and Distinctions

All America City Finalist
American Public Works Association (APWA) Accreditation
Center for Public Safety Excellence (CPSE)
Gold Level Clean Air Counts Community
Governor's Hometown Award
Government Finance Officers Association Budget Award
Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting
Illinois Law Enforcement Accreditation (ILEAP)
Insurance Services Office (ISO) Class One Fire Department
State of Illinois Certified Health Department
Tree City U.S.A. Distinction

Village of Skokie

June 21, 2018
For Immediate Release

Skokie Business and Residents File Equal Protection Federal Law Suit against Evanston for Inequitable Water Rate Increases

The City of Evanston, which sits on the shores of Lake Michigan and controls access to water for ten other Illinois municipalities, has undertaken a monopolistic tactic to impose disparate, inflated and improper water rates to its municipal water customers in an effort to fix its \$11 million budget hole. In an action filed yesterday, several Skokie residents and a business joined with the Village of Skokie to file a Federal law suit against Evanston to stop this practice and to obtain equal protection under the law for access to fair and equitable water rates. The suit was filed in the United States District Court for the Northern District of Illinois by Skokie residents Elaine Jacobson, Paul Pitalis and Robert Quane, Skokie business Georgia Nut Company and the Village of Skokie.

“For 74 years, Skokie and Evanston have been partners in water delivery to residents of both communities,” said Skokie Mayor George Van Dusen. “Inexplicably and abruptly, Evanston decided to charge a contrived water rate to gouge Skokie residents and businesses that are dependent on Lake Michigan water from Evanston, while charging significantly lower rates to attract new municipal customers. This contentious action, born of financial desperation in Evanston City Hall, disregards the basic right of all Illinois communities to have access to water at the same fair rate as in other municipalities.”

For over a year, Skokie attempted to negotiate a fair and equitable rate with Evanston. “After months of negotiation, there is no credible explanation for Evanston’s demand for a water rate to Skokie residents and businesses that is between 264 and 307 percent higher than the water rate it charges other municipalities,” explained John T. Lockerby, Skokie Village Manager. “It is most disappointing that all of Skokie’s good faith efforts to resolve the water rate issues were rejected, including Skokie’s suggestion to use a third party mediator. Evanston leaders stated that they would prefer to leave it to the lawyers.”

“This unique litigation is filed pursuant to the Fifth and Fourteenth Amendments of the United States Constitution against Evanston and the Evanston City Council for violating Skokie’s and its residents’ and business’ rights to equal protection under the law,” explained Michael M. Lorge, Corporation Counsel for the Village of Skokie. “Guided by Federal law and its principles of fairness, due process and equitable rights, this case seeks constraints over Evanston’s monopolistic exercise of market power over basic water rights. This law suit seeks to remedy similar water rate inequities that occur throughout Illinois by framing as a legal matter that it is unreasonable and unfair for municipalities selling water to impose arbitrary and disparate water rates on each of its municipal customers.”

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Skokie Plaintiffs' Federal Lawsuit
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The Plaintiffs in this action include Skokie residents Elaine Jacobson, Paul Pitalis, Robert Quane and the Georgia Nut Company. "As a retiree living on a fixed income, I cannot be subjected to a sudden tripling of my water rates," said Elaine Jacobson. Paul Pitalis, who also is retired and living on a fixed income stated, "I became involved in this law suit because there is no logical explanation why my friends in Morton Grove, a mile away from me, will be paying significantly less to Evanston, other than the Evanston City Council's greed and fiscal mismanagement."

Lorge further explained, "The core of the action is to determine whether a municipality that controls Lake Michigan water access as a result of its fortuitous location can charge arbitrary and disparate rates for the sale and delivery of water to similarly situated municipal water customers. You cannot charge a low rate to attract new municipal water customers on one hand, and on the other hand, impose triple the rate on long-time municipal water customers who are locked into your system. Just because the Evanston Mayor controls the tap, does not give him the right to impose an arbitrary water rate on other communities to solve his town's financial woes."

"The saddest part of the failed negotiations that ended last fall when Evanston filed a lawsuit against Skokie is not just that neighboring communities could not reach a fair agreement, but that Skokie now has no choice but to turn to the courts to protect its residents and businesses," concluded Lockerby.

Updates regarding this matter will be posted at skokie.org when available.

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