

City of Berwyn City Council Meeting

September 11, 2007

BERWYN CITY COUNCIL MEETING
SEPTEMBER 11, 2007

DEAR ATTENDEE.....THE MAYOR AND CITY COUNCIL WELCOME YOU. PLEASE KEEP IN MIND THAT THIS IS A MEETING OF THE MAYOR AND COUNCIL MEMBERS AS OPPOSED TO A PUBLIC HEARING WHERE ATTENDEES ARE ENCOURAGED TO PARTICIPATE. UNLESS INVITED BY THE MAYOR TO SPEAK, YOU ARE REQUESTED NOT TO INTERRUPT. IF YOU ARE RECOGNIZED BY THE MAYOR, PLEASE PREFACE YOUR REMARKS BY STATING YOUR NAME AND ADDRESS FOR THE RECORD. THANK YOU.

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

AGENDA

ROLL CALL

- (A) PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE
- (B) OPEN FORUM - (TOPIC MUST NOT BE ON THE AGENDA)
- (C) PRESENTATION OF PREVIOUS MEETINGS MINUTES FOR APPROVAL
 - 1. MIN. REG. MTG.-8/28/07-COW 8/14/07-8/27/07-8/28/07
- (D) BID OPENING - TABULATIONS
 - 1. HOLIDAY DECORATIONS
- (E) BERWYN DEVELOPMENT CORP.-BERWYN TOWNSHIP/HEALTH DISTRICT
 - 1. TIF APPLICATION: ALEX PRIETO, BODHI THAI RESTAURANT-6211 W. ROOSEVELT
- (F) REPORTS AND COMMUNICATIONS FROM THE MAYOR
 - 1. 100th BIRTHDAY
 - 2. HEALTH INSURANCE
 - 3. 5TH WARD ALDERMANIC SEAT
 - 4. ETHICS ORDINANCE PROVISIONS
- (G) REPORTS AND COMMUNICATIONS FROM THE CITY CLERK
- (H) COMMUNICATIONS FROM (ZONING) BOARD OF APPEALS
 - 1. RESOL/ORD-JUSTIN MEYERS-1604 EAST AVE
 - 2. RESOL-POTTER'S HOUSE CHRISTIAN FELLOWSHIP MINISTRIES-6950-52 WINDSOR
- (I) REPORTS AND COMMUNICATIONS FROM ALDERMEN, COMMITTEES OTHER BOARDS AND COMMISSIONS
 - 1. CHAPMAN-6TH ANNUAL OKTERBERFEST INFO
 - 2. CHAPMAN-RECRITING MEMBERS FOR THE ESTABLISHED CITY OF BERWYN "ETHICS BOARD"
 - 3. SKRYD-CLOSURE OF ELMWOOD AV SOUTH FROM 22ND TO THE ALLEY FOR HOUBY DAY EVENT

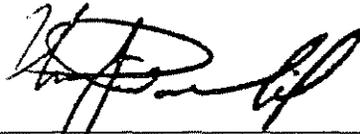
(J) STAFF REPORTS

1. DEFER-CITY ATTORNEY-INTERGOVERNMENTAL SAFETY ENFORCEMENT AGREEMENT
2. CITY ATTORNEY-INTERGOVERNMENTAL SAFETY ENFORCEMENT AGREEMENT
3. CITY ATTORNEY-ENFORCEMENT AGREEMENT FOR CERMAK ROAD
4. CITY ATTORNEY-REVISED ORD-RETROACTIVE MUN. UTILITY TAX EXEMPTION
5. DIR PUB WKS-REQ TO BID FOR LRG PLANTERS & GARBAGE CANS

(K) CONSENT AGENDA: ALL ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED IN ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED AS THE FIRST ITEM AFTER APPROVAL OF THE CONSENT AGENDA

1. BUDGET CHAIRMAN-PAYROLL-9/5/07-\$845,285.52
2. BUDGET CHAIRMAN-PAYABLES-9/11/07-\$1,129,329.68
3. BUILDING DIR-BUILDING PERMITS ISSUED AUGUST, 2007
4. COLLECTOR-BUSINESS LICENSES ISSUED-AUGUST, 2007
5. BLOCK PARTY-2312 HIGHLAND-9/15/07
6. CONCORDIA LUTERAN CHURCH-PICNIC-9/30/07
7. CBC SHOE CORP-SIDEWALK SALE-9/14-9/16/07
8. KIWANIS ANNUAL PEANUT DAYS-9/27,28, & 29/07

ITEMS SUBMITTED ON TIME 25



THOMAS J. PAVLIK - CITY CLERK

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Sections A & B

A. Pledge of Allegiance-Moment of Silence

B. Open Forum
Topic must NOT be on the Agenda
Open space for comments or ideas.

Section C

Presentation of Previous Meeting Minutes For Approval

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
AUGUST 28, 2007

1. The Berwyn City Council was called to order at 8:00 p.m. Upon the call of the roll the following responded present: Chapman, Ramos, Weiner, Skryd, Lovero, Erickson. Absent: Phelan. Thereafter, Lovero made a motion, seconded by Chapman, to excuse Alderman Phelan. The motion carried.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the safety of our armed forces, police, firefighters, and paramedics.
3. The Open Forum portion of the meeting was announced. Joyce Smith, 1500 Cuyler referred to Berwyn City Council minutes and the lack of representation for the 5th Ward residents and read a statement into the record. Mike Burn, 1501 Cuyler spoke regarding no representation for the 5th Ward residents and was in support of Maureen Brocato to fill the vacancy. Mr. Burn read a letter from Mr. Duane Becker, who could not attend, regarding representation for the 5th Ward. Mary Karasek, 7115 W. 29th Place spoke regarding the mourning period and display of purple draping for City officials. Glen Smith, 1500 Cuyler, spoke in favor of supporting Maureen Brocato for 5th ward alderman. James Young, 2722 Lombard, thanked Alderman Skryd for taking care of the flooding problems due to blocked sewers and for tree trimming on 27th Street. Alderman Ramos asked everyone for their support for House Bill #572, Transportation Funding.
4. The minutes of the regular Berwyn City Council held on August 14, 2007 were submitted.
Lovero made a motion, seconded by Erickson, to mark Alderman Phelan present at 8:15 p.m. The motion carried.
Thereafter, Lovero made a motion, seconded by Chapman, to refer to item #39 of the August 14, 2007 minutes, regarding Utility and Telecommunication Tax section 860.03 of the Codified Ordinances, and requested that it be sent back to the Law department, to amend the language in the ordinance to reflect the wishes of the Council, to be retroactive from 2006. The motion carried by a unanimous roll call vote. Thereafter, Phelan made a motion, seconded by Erickson, to reconsider his vote on item #9, regarding the Record Keeping and Approval of Purchase Card Program and to change his vote from Nay to Aye. Thereafter, the City

Attorney stated that the proper procedure was to request the motion to reconsider the vote on item #9 and to concur and approve the communication for the Purchase Card Program. Thereafter, Erickson made a motion, seconded by Ramos, to concur with the recommendation and to approve as submitted. The motion carried by the following roll call: Yeas: Ramos, Weiner, Phelan, Erickson. Nays: Chapman, Skryd, Lovero. Thereafter, Lovero made a motion, seconded by Skryd, to concur and approve the amended minutes. The motion carried by a unanimous roll call vote.

5. Lovero made a motion, seconded by Skryd, to suspend the rules and bring forth item J-3 and I-1 and to make J-3 germane to I-1. The motion carried by a voice vote. Item I-1 is a deferred communication from the Fire and Police commissioners regarding the promotion of Gregory Catena and Mike Vokac to the position of Sergeant. Thereafter, Lovero made a motion, seconded by Skryd, to concur and approve the appointment as submitted. Thereafter, Clerk Pavlik administered the Oath of Office and the Sergeants were congratulated by the Mayor and City Council. Thereafter, Lovero made a motion, seconded by Ramos, to concur and approve the appointments of Probationary Police officers, Greg Audifred, Loren Buchmeier, Jennifer Mazur, and Robert Brenka. The motion carried by a voice vote. Thereafter, Clerk Pavlik administered the Oath of Office and the Probationary Officers were congratulated by the Mayor and City Council.
6. A deferred communication from the Mayor regarding the Clear View ordinance section 801.18. After discussion, Erickson made a motion, seconded by Weiner, to refer the matter to the Law department for research and to the Committee of the Whole. The motion carried by a voice vote.
7. The Mayor submitted a Resolution supporting the formation of the Shoreline Mayors Task Force whose main purpose is to protect the water of Lake Michigan. Skryd made a motion, seconded by Ramos, to concur and adopt the Resolution as presented. The motion carried by a voice vote.
8. The Mayor submitted a communication regarding the 100th Birthday celebration for the City of Berwyn. Discussion ensued regarding the appointment of Carl Reina to Chair the committee with the request from Council to invite Mr. Reina to Council for a report of the purposed budget and an events schedule. Thereafter, Lovero made a motion, seconded by Erickson, to concur and approve the appointment. The motion carried by a unanimous roll call vote.

9. The Mayor submitted a communication regarding the appointment of Kevin White as Superintendent of Streets. Weiner made a motion, seconded by Erickson, to concur and approve as submitted. The motion was defeated by the following roll call: Yeas: Ramos, Weiner, Erickson. Nays: Chapman, Skryd, Phelan, Lovero. Thereafter, the Mayor stated that he will be making a temporary appointment of Mr. White as Superintendent of Streets.
10. The Clerk submitted an amended ordinance following a Public Hearing entitled:

AN ORDINANCE AMENDING SECTION 1274.14 OF THE BERWYN CODE REGARDING ROOFTOP PATIO ALLOWANCES IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Erickson made a motion, seconded by Phelan, to concur and adopt the amended ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call vote: Yeas: Chapman, Phelan, Lovero, Erickson. Nays: Ramos, Weiner, Skryd.

11. The City Clerk submitted a communication regarding the resignation of Aimee Sordelli from the Dollars for Scholars committee and the appointment of Anthony Laureto to fill the vacancy. Thereafter, Lovero made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
12. Alderman Ramos submitted a communication regarding a request for yellow curb zones for St. Leonard's Church, Clarence Avenue and 33rd Street. After discussion, Ramos made a motion, seconded by Weiner, to concur and approve as submitted and to refer the matter to the Law department to research and possibly amend the ordinance. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero, Erickson. Nays: Phelan.
13. Alderman Ramos submitted a communication requesting (2) 15 minute parking signs and a trash can for Café Palermo, 6510 W. Ogden Avenue. Thereafter, Ramos made a motion, seconded by Lovero, to concur and approve as submitted and to authorize the Public Works department to install said signs. The motion carried by a unanimous roll call vote.
14. Alderman Skryd submitted a communication requesting a stop sign on 28^h Street and Harvey Avenue. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve as submitted and to authorize the Public

Works department to install said sign. The motion carried by a unanimous roll call vote.

15. Alderman Phelan submitted a communication requesting a stop sign at the intersection of 21st Street and Elmwood Avenue. Thereafter, Phelan made a motion, seconded by Erickson, to concur and approve as submitted and to authorize the Public Works department to install said sign. The motion carried by a unanimous roll call vote.
16. The Committee of the Whole submitted a communication regarding the referral regarding La Rosita Food, 6609 Roosevelt Road with the recommendation to install (2) parallel parking spaces with a 15 minute parking restriction, from 8:00 a.m. to 10:00 p.m. Thereafter, Erickson made a motion, seconded by Phelan, to concur and approve as amended and to authorize the Public Works department to install said signs. The motion carried by a unanimous roll call vote.
17. A deferred amended ordinance submitted by the City Attorney regarding additional members to the 911 Board was entitled:

AN ORDINANCE AMENDING CHAPTER 289 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Skryd made a motion, seconded by Chapman, to concur and adopt the ordinance as amended and to authorize the corporate authorities to affix their signatures thereto. The motion carried by unanimous roll call vote.

18. A deferred communication from the Library director requesting staff replacement for the position of Readers' Advisory Librarian II. Thereafter, Chapman made a motion, seconded by Erickson, to concur, waive the hiring freeze, and approve as submitted. The motion carried by a unanimous roll call vote.
19. The Director of Computer Services submitted a communication regarding Mayoral email sent to bbrocato@aol.com. Thereafter, Chapman made a motion, seconded by Skryd, to refer to the Law department. The motion carried by a voice vote.
20. The City Attorney submitted a communication regarding an Intergovernmental Safety Enforcement Agreement. Thereafter, Ramos made a motion, seconded by Weiner, to defer the matter for two (2) weeks. The motion carried by a voice vote with Chapman and Skryd voicing a contrary nay.

21. The City Attorney submitted an Intergovernmental Agreement between the City of Berwyn and the North Berwyn Park District. Thereafter, Lovero made a motion, seconded by Skryd, to excuse Alderman Phelan from the vote. The motion carried. Thereafter, Ramos made a motion, seconded by Weiner, to concur and approve the agreement as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

22. The City Attorney submitted a handicapped parking reservation revisions ordinance entitled:

AN ORDINANCE AMENDING 484.05 OF THE BERWYN CODE REGARDING STREET PARKING FOR HANDICAPPED PERSONS IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Skryd made a motion, seconded by Chapman, to concur and adopt the ordinance as amended and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

23. Weiner made a motion, seconded by Ramos, to include item K-11 to the Consent Agenda regarding a block party on 6900 W. 30th Place. The motion carried by a voice vote.

Thereafter, the Consent Agenda K-1 through K-11 was presented:

K-1 Budget Chairman, payroll for August 22, 2007, in the amount of \$844,436.94

K-2 Budget Chairman, payables for August 28, 2007 in the amount of \$787,185.46

K-3 Block party-2500 Scoville-September 15, 2007

K-4 Block party-3600 Cuyler-September 8, 2007

K-5 Block party-2600 Euclid-September 1, 2007

K-6 Block Garage Sale-1800 Wisconsin & Wenonah-August 25th, 26th, and 27th

K-7 Knights of Columbus annual Mentally Handicapped "Tootsie Roll" drive on September 21, 22, and 23, 2007.

K-8 St Leonard's "Oktoberfest" on October 6, 2007

K-9 North Berwyn Park District "Annual Flea Market" on September 22, 2007

K-10 Misericordia "Tag Days" on April 25th and 26th, 2008

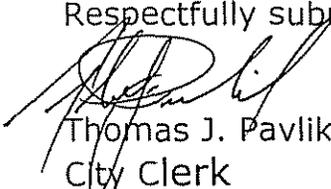
K-11 Block party-6900 W. 30th Place -September 8, 2007

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Thereafter, Ramos made a motion, seconded by Skryd, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.

24. The Mayor called for a Committee of the Whole for Tuesday, September 11, 2007 at 6:00 p.m. for referrals.
25. Alderman Skryd called an Administration committee meeting for Tuesday, September 4, 2007 at 6:00 p.m. for referrals.
26. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Skryd, to adjourn at the hour of 8:55 p.m. by a unanimous roll call vote.

Respectfully submitted,



Thomas J. Pavlik
City Clerk

MINUTES
COMMITTEE OF THE WHOLE
AUGUST 14, 2007

1. The Committee of the Whole was called to order by Mayor O'Connor at 6:13 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Lovero. Absent: Phelan, Erickson. A sign in sheet is attached.
2. Ramos made a motion, seconded by Skryd, to close the Committee of the Whole at 6:14 p.m. for land acquisition, pending litigation, and contract negotiations. The motion carried.

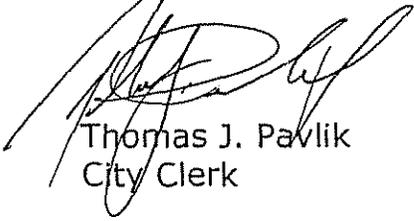
The open portion of the Committee of the Whole reconvened at 7:15 p.m. Aldermen Phelan and Erickson now present

3. Purchase Card Policy-The Finance director, Stephanie Navarro introduced Dan Berg of Sikich to explain. Lovero questioned if this is affecting the Foreign Firefighters Fund, the Pension Boards, and the 911 Board. Navarro explained the Foreign Firefighters tax is exempt and stated that she is not sure of the 911 Board, but stated that the Drug Forfeiture is included. After discussion, Lovero suggested an accounting of all accounts and coordinating with the Finance department.
4. Fund Balance policy-Navarro explained this is minimum guide lines for an adequate fund balance reserve. Alderman Weiner questioned what motion needed to be made on the Council floor. Lovero questioned if this may be deferred in order to get a breakdown of spending.
5. Ambulance collection fees-Navarro introduced Richard Bruen, of Odelson & Sterk who requested time to research the HIPPA laws as they apply to collections being handled in house.
6. Purchasing policy-Navarro handed out a draft copy of her purchasing procedures, see attached. Navarro stated that she will implement over the next several months and permanently changing the policy by years end.
7. Liquor license changes-The Mayor took questions from the Council. Discussion ensued regarding the fluctuation of the number of classes in each class, allowing the Council's impute before license is given out.

COMMITTEE OF THE WHOLE
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8. Public Works Supervisors-The Mayor stated that there are four different communications on the Council agenda. Alderman Skryd requested a copy of the advertisement of the staff vacancy from April, 2006, which Mayor provided, see attached item #8. The aldermen questioned if there were safeguards in place, so that the supervisors' would not sign union cards. Discussion ensued with questions and answers between the Council and Public Works director, Pat Ryan. The matter will be on the Council floor for a vote tonight.
9. Handicap sign request at 1836 Kenilworth-The Mayor introduced the resident who read a statement regarding the matter.
10. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Erickson, to adjourn at the hour of 8:25 p.m. The motion carried by a unanimous roll call vote.

Respectfully submitted,



Thomas J. Pavlik
City Clerk

MINUTES
COMMITTEE OF THE WHOLE
AUGUST 27, 2007
7:00 P.M.

1. The Committee of the Whole was called to order by Mayor O'Connor at 7:04 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Skryd, Phelan, Lovero. Absent: Weiner, Erickson. A sign in sheet is attached.
2. Skryd made a motion, seconded by Ramos to close the Committee of the Whole at 7:05 p.m. for contract negotiations, and personnel matters. The motion carried.

The Committee of the Whole reconvened at 8:03 p.m. Alderman Erickson now present.

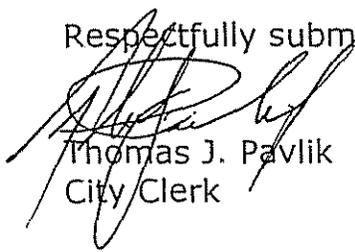
3. Clear View of Liquor Establishments-Review of changes to be made-The Mayor referenced information handed out to Aldermen regarding their wards and establishments that were listed by the building department that required changes. Clerk Pavlik stated that he has nothing regarding this matter except the cover letter from the Council floor and has not received the list in question which was distributed to the aldermen. The Mayor stated that he will supply a copy to the Clerk tomorrow. The Mayor recognized Anthony Vais, 6434 Ogden Avenue, owner of Michael Anthony's restaurant, who questioned the Clear View ordinance and proposed the use of a closed circuit linked to the police department and asked if this would be an option to complying. The Mayor stated that this is not a local ordinance but it is state statute. Aldermen requested copies of the State Statute and how the local ordinance applies to enforcement of the statute. Alderman Lovero questioned the aspect of the ordinance as it applies to tinted windows. Discussion ensued regarding Clear View, and the building department's interpretation of tinted glass not being Clear View. Once again the aldermen requested a copy of the State Statute and any interpretations of Clear View that the state may have made regarding enforcement. The Mayor asked for a list of establishments that the aldermen are concerned with. The aldermen stated "Forget About it", "Oliver's Twist", "Tiger O'Stylies", "Cigars and Stripes" regarding Plexiglas being not Clear View, "16th Street Liquors" and "Bootleggers".
4. I-6 from the Council agenda-La Rosita Foods, 6609 Roosevelt Road, request for restricted parking signs to be installed, 15 minute parking, 8:00 a.m. to 10:00 p.m. for 3 parallel parking spaces on Roosevelt Road directly

in front of their store. Aldermen requested a copy of original communication and instructed the Clerk to supply for the City Council meeting tomorrow. Discussion ensued on doing a survey of all Roosevelt Road businesses and how parking affects their business. Alderman Erickson stated that he will do a block by block survey of parking on Roosevelt Road and report back to the City Council. Discussion ensued on 15 minute or 30 minute parking for the 3 diagonal spaces in front of 6609 Roosevelt Road. Aldermen stated that they would be willing to increase from 15 minutes to 30 minutes. Alderman Erickson will contact LaRosita Foods and speak with the owner before the City Council tomorrow.

5. Ramos made a motion, seconded by Skryd, to excuse Alderman Chapman from the meeting at 8:25 p.m. The motion carried.
6. Paramedic collections-The Mayor briefly spoke on the matter, see attached.
7. Handicap sign request at 1836 Kenilworth-Alderman Lovero stated that he is against issuing the sign and commented about the number of signs being issued since the fee was reduced from \$100 to \$10. Alderman Skryd questioned why the gentleman was allowed to address the Committee of the Whole regarding his request and that the matter should have been handled in a meeting between the Mayor and the resident alderman.
8. Erickson made a motion, seconded by Phelan, to adjourn at the hour of 8:45 p.m. The motion was then amended, to return to the close portion of the Committee of the Whole for Personnel issues. The motion carried.

The Committee of the Whole adjourned at 9:04 p.m.

Respectfully submitted,



Thomas J. Pavlik
City Clerk

MINUTES
COMMITTEE OF THE WHOLE
AUGUST 28, 2007

1. The Committee of the Whole was called to order by Mayor O'Connor at 6:15 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Skryd, Lovero. Absent: Weiner, Phelan, Erickson. A sign in sheet is attached.
2. Paramedic Collections-The Mayor referred to Stephanie Navarro, Finance director, who reviewed memo regarding same, see attached, with the recommendation to wait until next July, 2008 when the contract is up for renewal, and at that time we will be able to combine or separate the billing and collection agency and the process.
3. Chapman made a motion, seconded by Ramos, to close the Committee of the Whole for pending litigation, contract negotiations, and land acquisition at 6:18 p.m. The motion carried.

The Open portion of the Committee of the Whole resumed at 7:20 p.m. Now in attendance Aldermen Weiner and Erickson.

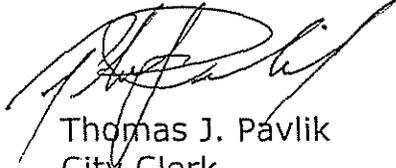
4. Agenda item F-3-100th Birthday celebration-The Mayor reported that the volunteer list is growing and the Mayor is looking to appoint Carl Reina to head the committee. Alderman Lovero confirmed Carl Reina's interest. The Mayor brought up the fact that Morton West High School will be holding Graduation exercises on June 6, 2008, and that there would be a conflict for the use of their facilities. After discussion, Lovero suggested Carl Reina approach the City Council with a tentative budget, allowing the Council to make a final decision and approval on the budget and plans, and or to compensate Mr. Reina for work done up to that time.
5. Agenda item I-6-COW referral for LaRosita Food, 6609 Roosevelt, requesting 15 minute parking spaces. Alderman Erickson stated that he spoke with the owner today and the owner still would prefer 15 minute parking verses 30 minute, and Erickson is in agreement. Alderman Skryd questioned Alderman Erickson on whether he did a study or questioned other business owners and how this would affect them and parking in general. Erickson stated that he has not been able to contact any other business at this time, but plans to do so.

6. Agenda item J-1-Ordinance to amend and increase the number of 911 Board members. The Aldermen have no objection and are in agreement with the ordinance.
7. Agenda item J-4-Communications regarding email sent to bbrocato@aol.com. Alderman Chapman questioned if the City is now liable with the insurance company and the settlement due to disclosure regarding settlement. The Mayor stated that the settlement is being finalized and Mrs. Brocato has already agreed to the settlement. Chapman questioned and cautioned, why the Mayor was talking about this matter in open session and did not mention anything regarding the matter in closed session.
8. Agenda J-5-Intergovernmental Agreement regarding Safety Enforcement. The Mayor stated that he would like to see the matter deferred for (2) weeks and is questioning the 50/50 share of revenue.
9. Alderman Lovero brought up the City Council meeting minutes of August 14, 2007, item #39, ordinance regarding the Rebate to Other Taxing Bodies and questioned whether the ordinance is sufficient to make the reimbursement retroactive until 2006 or does it need to be amended, and questioned what he needed to do to make that happen. Bonebrake stated that it would probably need to be amended, with a motion, during the presentation of minutes.
10. Clerk Pavlik brought up a late submission for a block party for 6900 W. 30th Place and questioned aldermen if they would consider including on the Consent Agenda as K-11. Alderman Weiner concurs. The Clerk advised that a motion would have to be made in order to include on the Consent Agenda.
11. The Mayor referred to Chief Kushner regarding the Clear View and stated that he has personally visited the (7) businesses that were in question by the aldermen, see attached memo from the Chief. Chief Kushner reviewed the list and gave reasons for his recommendations. Alderman Lovero questioned Kushner regarding tint as Clear View and rebutted claims made by the Mayor that this was a State Statute. Lovero stated that it was not part of the Illinois State Statute, yet this was stated by the Mayor, to the local business owners. Chapman questioned tinted glass as Clear View. Alderman Skryd agrees with Chapman and Lovero and requested a definition of Clear View as it applies to tinted glass and would like to see it included in the ordinance. Alderman Erickson stated that the ordinance needed to be cleaned up and clarified.

COMMITTEE OF THE WHOLE
AUGUST 28, 2007

12. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Skryd, to adjourn the Committee of the Whole at 7:45 p.m. The motion carried.

Respectfully submitted,



Thomas J. Pavlik
City Clerk

Section D

Bid Openings – Tabulations

D-1

SECTION I REQUEST FOR PROPOSAL

HOLIDAY LIGHT DECORATIONS FOR THE CITY OF BERWYN

NOTICE TO PROPOSERS: Sealed Proposals will be received at the Office of the City Clerk, until the time and date specified below, for:

HOLIDAY LIGHT DECORATIONS

RFP packets are available at City Clerk's Office, City Hall, 6700 W. 26th Street, Berwyn, IL 60402.

ADDRESS PROPOSALS TO: Attention of the City Clerk's Office, City Hall, 6700 W. 26th Street, Berwyn IL 60402, on or before the bid opening local time and date specified below. Proposals shall be sealed and clearly marked on the front "**Proposal for Holiday Light Decorations**" **FAXED PROPOSALS WILL NOT BE ACCEPTED.**

PROPOSALS ARE DUE NO LATER THAN: 12:00 p.m., on September 7, 2007. Proposers shall submit four (4) copies of their proposal.

The City is not responsible for delays occasioned by the U.S. Postal Service, the internal mail delivery system of the City, or any other means of delivery employed by the bidder. Similarly, the City is not responsible for, and will not open, any bids responses which are received later than the date and time stated below.

QUESTIONS: All questions and clarifications regarding this Request for Proposal must be submitted no later than September 4, 2007 by e-mailing or calling the following City Representative:

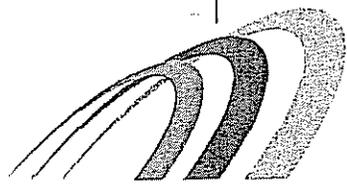
Patrick Ryan
Public Works Director
Prvan@ci.berwyn.il.us
(708) 749-4700

INDEX:

Section I	Request for Proposals
Section II	Specific Conditions and Instructions to this Proposal
Section III	General Conditions and Instructions to Proposers
Section IV	Company References
Section V	Company Information & Signature Sheet

Section E

Berwyn Development Corp.
Berwyn Township/Health District



berwyn development
CORPORATION

September 6, 2007

Mayor Michael O'Connor
Members of the Berwyn City Council
Berwyn City Hall
6700 West 26th Street
Berwyn, IL 60402

Re: TIF Application: Alex Prieto, Bodhi Thai Restaurant –
6211 West Roosevelt Road

Dear Mayor and City Council,

The Berwyn Development Corporation's (BDC) Board of Directors and the Cermak/Roosevelt Road TIF Committee have both agreed to recommend approval of the below specified TIF monies regarding *Bodhi Thai Restaurant* project costs.

The building, which is located at 6211 W. Roosevelt Rd, has been vacant for over 12 years and is blighted. With the assistance of TIF funds, the owner will be able to begin interior construction build-out at the ground floor and convert the vacant space into a new restaurant. The estimated cost for construction is \$243,473 and the scope of work entails: carpentry, ceiling, drywall, flooring, electrical, plumbing, signage, and interior finishes. The end product will fill in a vacancy and accommodate Berwyn's first Thai restaurant.

After review of the financials pertaining to this opportunity, it was determined that the applicant/landlord would need \$97,389.20 or approx. 28% of his entire build-out cost - \$346,295 (1st and 2nd floor build-out). Based on this information, City Council is being asked to approve TIF monies to pay only a portion of the eligible costs associated with this project up to a maximum of \$97,389.20. The construction estimate pertaining to only the restaurant portion of this project is \$243,473. The second floor construction estimate is \$102,822. The second floor house a mortgage company owned and operated by the landlord.

In addition, the BDC has already eliminated items that are not considered eligible TIF expenses. Furthermore, the BDC will ensure the applicant will not receive any TIF monies prior to obtaining City permits and a business license. As part of our review process, BDC staff will validate work performed and eligibility prior to any payments.

With the consent of City Council, Mr. Prieto, the landlord, can initiate work on his project and contribute to the revitalization efforts taking place along Roosevelt Road.

Respectfully,

Brian Pabst
Executive Director
Berwyn Development Corporation

3322 S. Oak Park Avenue
Second Floor
Berwyn, IL 60402
708.788.8100
fax: 708.788.0966
www.berwyn.net

Section F

Reports and Communications From The Mayor



THE CITY OF BERWYN, ILLINOIS

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567
www.berwyn-il.gov

September 5, 2007

To: Members of the
City Council

Re: 100th Birthday

Dear Ladies and Gentlemen:

Mr. Carl Reina will be making a presentation during the Committee of the Whole meeting on September 11, 2007. A recommendation will be in order as to whether to move forward with the 100th Birthday Celebration or not.

Sincerely,

Michael A. O'Connor
Mayor

MAO/dr



THE CITY OF BERWYN, ILLINOIS

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567
www.berwyn-il.gov

September 7, 2007

To: Members of the
City Council

Re: Health Insurance

Dear Ladies and Gentlemen:

Attached is an amendment to the Health Insurance Agreement. The unions' membership will be voting on approval of this amendment in the next week. I would like authorization to also sign this amendment upon the approval of the unions so the new plan can be implemented.

Sincerely,

Michael A. O'Connor
Mayor

MAO/dr

MELISSA J. AUERBACH
J. DALE BERRY
GILBERT A. CORNFELD
GILBERT FELDMAN
DAVID M. GOLDBERG
BARBARA J. HILLMAN (NY)
JACOB POMERANZ (CA)
ROBERT A. SELTZER (DC)
RICHARD J. TUPPER
JIM M. VAINIKOS
STEPHEN A. YOKICH

GAIL E. MROZOWSKI
CARRIE A. HERSCHMAN (NY)
PAMELA LAMBOS
JENNIFER CLAIRE WEISS

CORNFELD AND FELDMAN
ATTORNEYS AND COUNSELORS
25 EAST WASHINGTON STREET
SUITE 1400
CHICAGO, ILLINOIS 60602-1803
(312) 236-7800 FAX (312) 236-6686
1-800-621-3821

NEW YORK OFFICE:
30 East 29th Street
New York, NY 10016
(212) 684-5300

ARNOLD E. CHARNIN
(1933-1978)
LINZEY D. JONES
(1922-2005)
BROUDY SIMONS
(1925-2006)

Of Counsel:
MICHAEL H. HOLLAND
MARTIN J. RUBIN

August 27, 2007

Pat Segel
Human Resources
The City of Berwyn
6700 West 26th Street
Berwyn, IL 60402-0702

Re: IAFF Local 506 and IMPA Berwyn Chapter
-- Health Insurance

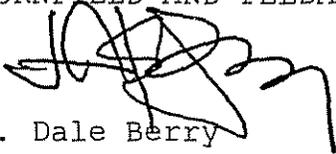
Dear Pat:

Enclosed is my draft of the TA'd Amended Interim Health Insurance Agreement.

If you have any questions, call.

Very truly yours,

CORNFELD AND FELDMAN


J. Dale Berry

JDB/saf
Enc.

cc: Sam Molinaro, President, IAFF 506
John O'Halloran, President, IMPA
Mike Lass, Teamsters Local 705
Ken Potocki, AFSCME 31

AMENDED INTERIM HEALTH INSURANCE AGREEMENT

The undersigned parties agree to amend the "Interim Health Insurance Agreement" ("Exhibit A" to contract) by modifying paragraph 6(3) effective October 1, 2007 as follows:

- A. The cost for non-mail order prescriptions will increase from the current level to:
 - 1. \$10 co-pay for generic drugs
 - 2. \$25 co-pay for formulary drugs
 - 3. \$50 co-pay for non-formulary drugs

- B. Mail order prescription costs will increase to:
 - 1. \$20 co-pay for generic drugs (3 month supply)
 - 2. \$50 co-pay for formulary drugs (3 month supply)
 - 3. \$100 co-pay for non-formulary drugs (3 month supply).

CITY OF BERWYN

IMPA, BERWYN CHAPTER

BY: _____
MICHAEL A. O'CONNOR
MAYOR

BY: _____

ATTEST: _____
TOM PAVLIK, CLERK

AFSCME, BERWYN CHAPTER

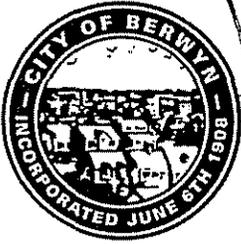
BY: _____

IAFF LOCAL 506

BY: _____

TEAMSTERS LOCAL 705

BY: _____



THE CITY OF BERWYN, ILLINOIS

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567
www.berwyn-il.gov

September 7, 2007

To: Members of the City Council

Re: 5th Ward Aldermanic Seat

Dear Ladies and Gentlemen:

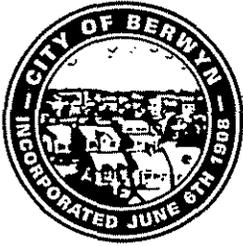
It has now been six months since the passing of Alderman Ben Brocato and the 5th Ward residents deserve representation. The workman's compensation claim for his wife, Maureen, has been settled by all parties. The conflict of interest possibilities, which some aldermen have stated were an obstacle in the past, no longer exist.

Many well intentioned residents of the 5th Ward have volunteered to fill the 5th Ward Aldermanic vacancy; the appointment to fill the vacancy is that of the Mayor. I have asked for your approval on numerous occasions and the only reason I have been given for the denial, which I have read in the Tribune, is that Mrs. Brocato has been influenced to vote with the Mayor. That is a very unfair accusation. Anyone I have appointed to any boards, committees or commissions has been chosen because I believed they were the most qualified for that position. I have never selected anyone because of their particular political party affiliation, as proven by past appointments.

The 5th Ward residents want someone who will listen to their concerns and vote accordingly. Maureen Brocato is my selection as the most qualified person to fill this vacancy and be the voice for the 5th Ward. I therefore ask for your concurrence with the appointment of Maureen Brocato to complete the remaining nineteen months of her husband's term.

Sincerely,

Michael A. O'Connor
Mayor



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THE CITY OF **BERWYN, ILLINOIS**

Building A New Berwyn

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567

www.berwyn-il.gov

September 7, 2007

To: Members of the
City Council

Re: Ethics Ordinance Provisions

Dear Ladies and Gentlemen:

A review of the status of our current Ethics Ordinance, which was passed on April 13, 2004 (attached), shows that a proposed amendment to this Ordinance was referred to the Administration Committee on September 12, 2006 at the request of the Mayor (also see attached). Although no recommendation has been made by the Administration Committee, I would ask that this matter be referred to the Committee of the Whole in order to expedite discussion and implementation.

Sincerely,

Michael A. O'Connor
Mayor

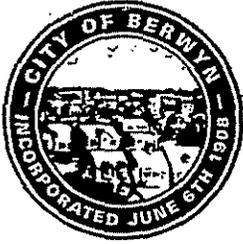
September 12, 2006 Minutes:

16. The Mayor submitted a communication regarding an Ethics ordinance. Thereafter, Chapman made a motion, seconded by Ramos, to waive reading and to refer to the Administration committee. The motion carried by a voice vote.

ADMINISTRATION COMMITTEE

SKRYD, CHAIRMAN- ROBERT LOVERO

<u>ITEM</u>	<u>DATE</u>	<u>BY</u>	<u>REFERENCE TO</u>
#25	6/14/05	ERICKSON	DOMESTIC ANIMAL/PET POLICIES
#24	10/10/06	LOVERO,ERICKSON	RESTACKING CITY HALL
#37	10/11/05	ERICKSON	BUDGET DEFICIT
#34	11/22/05	ERICKSON	GOVERNMENT RESPONSE TO RESIDENTS
#26	12/13/05	ERICKSON	AMENDING CREATING ORDINANCES
#7	5/23/06	MAYOR	ORD-LIMIT TIME & FREQUENCY OF MTGS.
#9	7/11/06	MAYOR	COMPUTER USE POLICY
#21	7/11/06	CHAPMAN	HIRING PROCEDURES OF BERWYN EMPLOYEES
#16	7/25/06	MAYOR	HIRING PROCEDURES OF BERWYN EMPLOYEES
#8	8/8/08	MAYOR	MAYORAL APPOINTMENTS
#16	9/12/06	MAYOR	ETHICS ORDINANCE
#43	10/24/06	LEBEAU	CITY HALL RESTACK PROJECT
#14	11/14/06	MAYOR	DIRECTOR OF NEIGHBOR AFFAIRS
#16	11/14/06	MAYOR	INTERIM ADM COORDINATOR
#19	11/14/06	ERICKSON	NEW CITY WEBSITE
#20	11/14/06	PHELAN	EMPLOYEE CONDUCT
#21	11/14/06	ADM COMM H.R. DIR	PAR GROUP PAR GROUP
#10	03/20/07	MAYOR	PW SUPERVIORY POSITIONS
#13	03/27/07	CHAPMAN	DEPOT DISTRICT PARKING



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THE CITY OF BERWYN, ILLINOIS

MICHAEL A. O'CONNOR, Mayor

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567

www.berwyn-il.gov

September 7, 2006

ITEM NO. 16
DATE SEP 12 2006
DISPOSITION Refer to Admin
Comm.

To: Members of the
City Council

Re: Ethics Ordinance

Dear Ladies and Gentlemen:

At our last City Council meeting, Alderman Chapman requested information that would protect the city from potential conflict of interest issues with the city. At the present time, we do not have a vehicle to require any employees or elected officials to reveal personal information. Other cities have such ordinances in place. The Law Department has researched this and has found an example from Evanston that could apply to Berwyn. I have attached a copy of this ordinance for your review. Please refer this matter to the appropriate committee for further discussion and report.

Sincerely,

Michael A. O'Connor
Mayor

MAO/dr

EVANSTON, ETHICS – CHAPTER 10

1-10-1: ESTABLISHMENT:

There is hereby established the Evanston board of ethics, which shall consist of five (5) members appointed by the mayor with the advice and consent of the city council to terms of three (3) years. The mayor shall designate the chairman.

1-10-2: PURPOSE:

The purpose of the board of ethics shall be as follows:

- (A) To secure and maintain financial disclosure and affiliation statements from those persons required to file such a statement;
- (B) To develop and recommend to the city council a code of ethics applicable to public officials;
- (C) To evaluate, make findings of fact and issue advisory opinions for the city council on questions of possible unethical conduct or conflict of interest. When the possible unethical conduct or conflict of interest concerns the prohibited political activities or gift ban provisions of this chapter, the board may recommend to the city council that the matter be referred to the law department for appropriate action pursuant to 5 Illinois Compiled Statutes 430/1-1 et seq. Such deliberations may be initiated by the board or upon request, given due cause;
- (D) To consider related issues in addition to references from the city council; and
- (E) To develop rules and procedures to govern its own conduct of business.

The board of ethics shall report to the rules committee of the city council, as needed, or at least annually.

1-10-3: FINANCIAL DISCLOSURE AND AFFILIATION STATEMENT:

- (A) All elected officials, the city manager, the assistant city manager, department heads and members and executive staff of all boards, commissions, special committees, and those persons holding other positions designated by the city council or the city manager, shall annually on May 1 submit a signed and notarized financial disclosure and affiliation statement.

Said statement shall be submitted to the city clerk by those required to submit same prior to their taking office or being seated as a member of the pertinent

boards or commissions, and thereafter annually on May 1 during their tenure with the city. Disclosure statements shall be destroyed annually upon receipt of a newly filed statement or no later than the May 1 following the completion of a term of service. In the event any substantial change or addition occurs with respect to the information required in the disclosure statement, an amendment to the statement shall be filed within fifteen (15) business days.

(B) Persons required to submit a financial disclosure and affiliation statement shall answer the following questions on a form to be supplied by the city clerk:

1. The addresses of all Evanston real estate or the titles of land trusts, of which you and/or your spouse or any relative living with you have a financial ownership or interest, and a listing of that Evanston real estate for which zoning and rezoning applications are pending.
2. The name(s) of any entity(ies) doing business with the city of Evanston or the township of the city of Evanston in which you and/or your spouse or any relative living with you are employed or from which you receive income, including pension or retirement income, except for social security payments.
3. The name(s) of any entity(ies) doing business with the city of Evanston or the township of the city of Evanston in which you and/or your spouse or any relative living with you have an element of ownership or have an investment having a fair market value in excess of five thousand dollars (\$5,000.00), excepting any investment in securities traded on a recognized exchange with a fair market value of twenty thousand dollars (\$20,000.00) or less on the date of filing.
4. The name(s) of those organizations and/or institutions that receive funds or direct services from the city in which you or your spouse or any relative living with you are an employee, officer, board member or trustee.
5. The nature of any professional or occupational licenses or franchises issued by the city of Evanston to you, your spouse, or any relative living with you.
6. A statement of whether you, your spouse, or any relative living with you owns property, receives any gifts or income or has any economic interest or association which creates or could give rise to a conflict of interest.
7. The name, (and) address and nature of the business of the employer of you and/or your spouse or any relative living with you.
8. A statement that the signing officer or employee has read the code of ethics and that the information provided in the financial disclosure and

affiliation statement is true, correct and complete to the best of his/her knowledge.

- (C) The disclosure statements of elected officials and the city manager will be maintained on file with the city clerk and the board of ethics. Statements are available for review by the general public upon specific request to the city clerk during regular business hours. When a request for viewing of an ethics statement is made, the person whose ethics statement is requested shall be notified and the person viewing his or her statement named.
- (D) The disclosure statements of all members of boards, commissions and committees shall be filed, reviewed, and maintained in confidence by the board of ethics.
- (E) The disclosure statements of the assistant city manager, department heads, executive staff of boards, commissions and committees shall be filed, reviewed and maintained in confidence by the city manager. Upon request, the board of ethics may review in confidence these statements.

1-10-4: CODE OF ETHICS:

- (A) **Statement Of Purpose Of Policy:** It is the policy of the city that in all cases its elected and appointed officers and employees perform their duties for the benefit of the citizens of the city. They shall conduct the affairs of the city with integrity and impartiality, without allowing prejudice, favoritism or the opportunity for personal gain to influence their decisions or actions or to interfere with serving the public interest. Further, it is the policy of the city that spouses and immediate family members living with the officer or employee comply with the gift ban provisions of this chapter.

Continuing observance of this policy is essential to maintaining the public trust necessary for good government. The city council is therefore adopting this chapter to establish guidelines for an ethical standard of conduct for those individuals covered by this chapter, and to ensure compliance with those guidelines.

The standards of this chapter are intended to supplement and comply with the provisions regarding municipal officers in 65 Illinois Compiled Statutes and 50 Illinois Compiled Statutes 105/1 et seq., and any other state statutes or ordinances of the city relating to ethical conduct for city officers and employees.

The obligations of this chapter shall not be limited to the provisions of the state statutes specified herein, nor shall the failure to include in this chapter any provisions of a state statute release officers and employees of the city

and other covered individuals from obligations, responsibilities and penalties imposed by state law.

This chapter is not to be construed so as to impair the ability of city officers and employees to participate in ceremonial, representational, or informational functions in the performance of their official duties.

(B) Persons Covered By This Chapter: The provisions of this chapter shall apply to any officer or employee of the city, whether elected or appointed, paid or unpaid, including members of boards and commissions appointed by the city mayor or city council. In addition to the foregoing persons, section 1-10-6 of this chapter relating to the gift ban shall apply to the spouse and immediate family members living with any officer or employee. The term "officer" applies throughout this chapter to members of boards and commissions appointed by the mayor or city council as well as to other municipal officers.

The city manager may promulgate rules and regulations for city employees in addition to the provisions of this chapter.

(C) Standards Of Conduct: Every officer or employee of the city shall be subject to and abide by the following standards of conduct:

1. Impartiality: Every officer and employee shall perform his duties with impartiality and without prejudice or bias for the benefit of all citizens of the city. No officer or employee shall grant or make available to any citizen any consideration, treatment, advantage or favor beyond that which is available to every other citizen.

2. Use Of Public Property: No officer or employee shall request or permit the unauthorized use of city owned vehicles, equipment, materials or property for personal convenience or profit.

3. Conflict Of Interest: No officer or employee shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest or which may tend to impair his independence of judgment or action in the performance of his official duties. Personal, as distinguished from financial interest, includes an interest arising from blood or marriage relationships or close business or political association. A business transaction, or financial or personal interest which is within the exceptions to the gift ban provisions of section 1-10-6 of this chapter does not violate this chapter.

Examples of prohibited conflicts of interest are:

a. Disclosure Of Confidential Information: No officer or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the city. Nor shall he use such information to advance the financial or other private interests of himself or others.

b. Abuse Of Power Of Office: No officer or employee shall use the prestige or power of his office or employment for his private gain or for the private gain of another.

c. Representing Private Interest Before City Bodies Or Courts: No employee or elected officer shall appear on behalf of private interests before any body of the city in a manner calculated to leave the impression that he/she is speaking for the city of Evanston, or acting on behalf of the city of Evanston when he/she is not authorized to do so. Any person so appearing shall indicate affirmatively that he/she is speaking in an individual capacity or as a representative of an organization or group other than the city. Nor shall any employee or elected officer represent private interests in any action or proceeding against the interests of the city in any litigation, administrative proceeding, or other type of adjudicative proceeding to which the city is a party. Nor shall he accept a retainer or compensation that is contingent upon a specific action by a city body. Except as may be provided for in the rules and organization of the city council, a council member may appear, without receiving additional compensation therefor, on behalf of constituents in the course of his duties as a representative of the electorate or in the performance of public or civic obligations. And an officer or employee may appear on behalf of himself, his spouse, or minor children before any city body or branch of the circuit court. An employee may also represent other employees in personnel matters, as provided in the city's personnel code and civil service rules.

d. Preacquisition Of Interest: No public officer or employee shall acquire an interest in or be affected by any contract or transaction at a time when the officer or employee believes or has reason to believe that the contract or transaction will directly or indirectly be affected by an official act or action of the city.

e. Incompatible Employment: No public officer or employee shall engage in or accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.

1-10-5: PROHIBITED POLITICAL ACTIVITIES:

(A)Definitions:

CAMPAIGN FOR ELECTIVE OFFICE: Any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office or office in a political organization, or the selection, nomination, or election of presidential or vice presidential electors, but does not include activities: 1) relating to the support or opposition of any executive, legislative, or administrative action, 2) relating to collective bargaining, or 3) that are otherwise in furtherance of the person's official duties.

CANDIDATE: A person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the election code ¹.

COLLECTIVE BARGAINING: Has the same meaning as that term is defined in section 3 of the Illinois public labor relations act ².

COMPENSATED TIME: With respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this chapter, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer or employee is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

COMPENSATORY TIME OFF: Authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

CONTRIBUTION: Has the same meaning as that term is defined in section 9-1.4 of the election code ³.

EMPLOYEE: A person employed by the city, whether on a full time or part time basis or pursuant to a contract, whose duties are subject to the direction and control of the city with regard to the material details of how the work is to be performed, but does not include an independent contractor.

EMPLOYER: The city of Evanston.

LEAVE OF ABSENCE: Any period during which an employee does not receive: 1) compensation for employment, 2) service credit towards pension benefits, and 3) health insurance benefits paid for by the city.

OFFICER: A person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

POLITICAL ACTIVITY: Any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities: 1) relating to the support or opposition of any executive, legislative, or administrative action, 2) relating to collective bargaining, or 3) that are otherwise in furtherance of the person's official duties.

POLITICAL ORGANIZATION: A party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the state board of elections or a county clerk under section 9-3 of the election code ⁴, but only with regard to those activities that require filing with the state board of elections or county clerk.

PROHIBITED POLITICAL ACTIVITY: 1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

2. Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.

3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

6. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

PROHIBITED SOURCE: Any person or entity who:

1. Is seeking official action: a) by an officer, or b) by an employee, or by the officer or another employee directing that employee;
2. Does business or seeks to do business: a) with the officer, or b) with an employee, or with the officer or another employee directing that employee;
3. Conducts activities regulated: a) by the officer, or b) by an employee, or by the officer or another employee directing that employee; or
4. Has interests that may be substantially affected by the performance or nonperformance of the official duties of the officer or employee.
5. Is required to be registered with the secretary of state under the lobbyist registration act, except that an entity does not become a prohibited source

merely because a registered lobbyist is one of its members or serves on its board of directors.

(B)Activities Prohibited:

1. No officer or employee shall intentionally perform any prohibited political activity during any "compensated time", as defined herein. No officer or employee shall intentionally use any property or resources of the city in connection with any prohibited political activity. No employee shall use the prestige of his or her position on behalf of any political party or for any political purpose.

2. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity: a) as part of that officer's or employee's duties, b) as a condition of employment, or c) during any compensated time off such as holidays, vacation, or personal time off.

3. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity. No appointment to or employment in any city position shall be dependent on political activity.

4. Nothing in this section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this chapter.

5. No person either: a) in a position that is subject to recognized merit principles of public employment, or b) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the federal standards for a merit system of personnel administration applicable to grant in aid programs shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

1-10-6: PROHIBITED SOLICITATION AND ACCEPTANCE OF GIFTS:

(A)Gifts: For purposes of this chapter, "gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink,

and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

(B) Gift Ban: Except as permitted by this section, no officer or employee, and no spouse of or immediate family member living with any officer or employee shall intentionally solicit or accept any gift from any "prohibited source" as defined in subsection 1-10-5(A) of this chapter, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this section.

(C) Exceptions: The gift ban prohibition in subsection (B) of this section and in the conflict of interest provision in subsection 1-10-4(C)3 of this chapter is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Any: a) contribution that is lawfully made under the election code, or b) activities associated with a fundraising event in support of a political organization or candidate.
3. Any gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
4. Any gift⁵ or thing provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

5. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee) of the officer or employee or the spouse of the officer or employee, if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

6. Bequests, inheritances, and other transfers at death.

7. Anything for which the officer or employee, or his spouse or immediate family members living with the officer or employee, pays the market value.

8. Educational materials and missions.

9. Travel expenses for a meeting to discuss city business.

10. Food or refreshments not exceeding seventy five dollars (\$75.00) per person in value on a single calendar day; provided that the food or refreshments are: a) consumed on the premises from which they were purchased or prepared, or b) catered. For the purposes of this section, "catered" means food or refreshments that are purchased ready to eat and delivered by any means.

11. Intragovernmental and intergovernmental gifts. For the purposes of this section, "intragovernmental gift" means any gift given to an officer or employee of the city from another officer or employee of the city; and "intergovernmental gift" means any gift given to an officer or employee of the city by a member, officer, or employee of a state agency, a federal agency, or of any governmental entity.

12. Any item or items from any one prohibited source during any calendar year having a cumulative value of less than one hundred dollars (\$100.00).

Each of the exceptions listed in this section is mutually exclusive and independent of every other.

(D)Disposition Of Gifts: An officer or employee, his or her spouse or an immediate family member living with the officer or employee does not violate this chapter if the recipient promptly takes action to return a gift from a prohibited source. An officer or employee, or his or her spouse or immediate family member living with the employee or officer, does not violate this chapter if the recipient promptly takes reasonable action to return the prohibited gift to its source, or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under section

501(c)(3) of the internal revenue code of 1986, as now or hereafter amended, renumbered, or succeeded.

- (E)Restrictive: Notwithstanding the above exceptions to the gift ban, any policy promulgated by the city manager, or any rule or collective bargaining agreement regarding the receipt of gifts by city employees, which is more restrictive than the state act shall supersede said exceptions.

1-10-7: DISCLOSURE OF FINANCIAL INTEREST:

- (A)Financial Interest: No officer or employee shall have any financial interest in any business or transaction with any board, commission, committee or public body of the city unless, as provided in 65 Illinois Compiled Statutes 5/3-14-4, that officer or employee discloses the nature and extent of such interest and refrains from voting upon the resolution of the business or transaction.
- (B)Financial Disclosure Statement: All elected officials, the city manager, the assistant city manager, department heads, members and executive staff of all boards, commissions, special committees and those persons holding other positions designated by the city council or the city manager shall submit annually the signed and notarized financial disclosure and affiliation statement required by section 1-10-3 of this chapter, as amended.

1-10-8: ADMINISTRATION OF CODE:

- (A)The board of ethics established pursuant to section 1-10-1 of this chapter, shall be responsible for interpreting and proposing revisions to the code of ethics.
- (B)When any officer or employee of the city wishes to have advice on the applicability of any provision of this chapter to a particular situation, or an interpretation of terms used in this chapter, he/she may apply to the board of ethics for an advisory opinion. Requests shall be in writing and shall contain a summary of pertinent facts. The board of ethics may also initiate investigations of the conduct of persons subject to this chapter.
- (C)The board of ethics will consider matters only in accordance with rules and procedures enacted in conformity with this chapter. These rules shall require that any person desiring to make a complaint of ethical misconduct against persons subject to this chapter to the city shall make the complaint in writing and under oath, on a form prescribed and made available to the public by the law department. No such complaint of official misconduct that fails to include the following will be considered by the board:

1. Name, address and phone number of complainant(s).

2. Name and position, as applicable, of respondent officer, employee, or other person subject to this chapter, if an officer or employee.

3. Nature of alleged ethical misconduct.

4. A detailed description of the evidence known to complainant establishing the ethical misconduct. All documentary evidence supporting the complainant's charges shall be attached to the complaint.

5. The board of ethics shall request each complainant to maintain the confidentiality of the fact of filing the complaint by inserting the following language in the complaint form:

To protect confidentiality, I have been requested to not disclose the fact of filing the complaint unless and until the Board of Ethics informs the Complainant in writing that the Board has concluded that it has jurisdiction to conduct an investigation of the charges and intends to do so.

6. The complaint form shall contain this statement:

This complaint will not be considered by the Ethics Board unless first filed with the Law Department.

(D) Within fourteen (14) days of receipt of a complaint of ethical misconduct as above described, the law department, after making an appropriate inquiry, shall issue a confidential written advisory report containing findings and conclusions as to each of the following questions:

1. Is or was the respondent a person subject to this chapter as defined herein at the time of the alleged ethical misconduct?

2. Is the ethical misconduct complained of covered by this chapter?

(E) The report of the law department shall be sent by prepaid receipted delivery to each member of the board of ethics and to the complainant within fourteen (14) days of the filing of the complaint with the law department. The board shall consider said report and the findings and conclusions therein in executive session at a meeting no later than at its next regularly scheduled meeting. If the board finds that it has no jurisdiction, it shall send a copy of its decision to the complainant within two (2) business days of such finding. If the board finds that it has jurisdiction and will commence an investigation of the charges set forth therein, or any parts thereof, the law department shall, within two (2) business days of the finding, notify respondent of the charges then pending against him/her by prepaid receipted delivery and enclose a copy of the complaint. The law department also shall notify both parties of the date and time when the complaint will be considered by the board of ethics;

and shall enclose a copy of the report, a copy of the ethics code, the board's regulations and rules of procedure, and all documents provided to the board by the law department in connection with this matter.

- (F) Within thirty (30) days of receipt of the complaint sent by the law department to the respondent or within five (5) days before the date of initial board consideration, whichever is later, the respondent shall at his or her option be accorded the opportunity of presenting to the law department for distribution to board members the respondent's interpretation of the facts and legal and factual defenses to the charges.
- (G) As more fully set forth in its procedures, the board may request additional information from other persons, may hold a hearing or hearings if it determines such to be necessary, and shall render a written opinion setting forth its conclusions with respect to each request for an opinion or each investigation it initiates. Whenever the board of ethics finds it necessary to conduct a hearing in order to secure pertinent information, or whenever any person whose conduct is subject to investigation demands a hearing, such a hearing shall be arranged. Such a hearing shall be public, unless the board determines, upon the request of any affected party or upon its own motion, that the hearing shall be in executive session. The members of the board shall conduct the hearing unless the board concludes it is appropriate to appoint some other person as a hearing officer to conduct the hearing and make recommendations to the board. At any such hearing, the presiding officer shall have the power to administer oaths and affirmations and compel attendance of persons and production of books, documents, papers, accounts, letters and records by subpoena. Any person who appears before the board at a hearing shall have the right to be represented by counsel. The members of the board or the hearing officer shall examine any witnesses. The board may also permit examination or cross examination by counsel for the affected parties. At any hearing, the board or hearing officer shall not be bound by the rules of evidence, but may hear and consider any evidence it considers to have probative value on the issues before it.
- (H) If the complaint is deemed sufficient to allege a violation of the prohibited political activities or gift ban provisions of this chapter, the board shall notify in writing the law department and shall transmit to the law department the complaint and all additional documents in the custody of the board concerning the alleged violation. In making its determination as to sufficiency of the complaint, the board may utilize the procedure set forth in subsection (G) of this section.

1. A violation of section 1-10-5, "Prohibited Political Activities", of this chapter may be prosecuted as a criminal offense by an attorney for the city by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal

procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

2. A violation of section 1-10-6 of this chapter (relating to the gift ban) may be prosecuted as a quasi-criminal offense by an attorney for the city.

(I) A written report of any action taken with respect to any person found to have violated the code of ethics shall be made to the board of ethics by the appropriate city authority within thirty (30) days after receipt of the board's advisory opinion. Upon receipt of such a report, or if no report is made as provided herein, the board shall review the matter and make any further recommendations it deems suitable.

1-10-9: SANCTIONS AND PENALTIES:

(A) A person who intentionally violates any provision of section 1-10-5, "Prohibited Political Activities", of this chapter may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of no more than three hundred sixty four (364) days, and may be fined in an amount not to exceed two thousand five hundred dollars (\$2,500.00).

(B) A person who intentionally violates any provision of section 1-10-6 of this chapter (gift ban) is subject to a fine in an amount of not less than one thousand one dollars (\$1,001.00) and not more than five thousand dollars (\$5,000.00).

(C) Any person who intentionally makes a false report alleging a violation of any provision of section 1-10-5, "Prohibited Political Activities", or section 1-10-6 of this chapter (gift ban) to the local enforcement authorities, the state's attorney, or any other law enforcement official is guilty of a class A misdemeanor and may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than three hundred sixty four (364) days, and may be fined in an amount not to exceed two thousand five hundred dollars (\$2,500.00).

(D) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of this chapter may be subject to censure, suspension, removal from office or employment or other disciplinary action, as determined by the appropriate city authority.

1-10-10: DISTRIBUTION OF CODE:

Copies of the code of ethics shall be distributed to all present city officers and employees, as well as to all new employees and officers when they begin their service to the city.

1-10-11: INTERPRETATION:

It is the intent of the city that the provisions of this chapter shall be substantially in accordance with the requirements of section 5-15 and article 10 of the state officials and employees ethics act. To the extent that section 5-15 or article 10 of the state officials and employees ethics act may be more restrictive than the requirements of this chapter, the provisions of section 5-15 and article 10 of the state officials and employees act shall apply and control.

1-10-12: FUTURE AMENDMENTS:

Any amendment to the state officials and employee ethics act, public act 93-615 as amended by public act 93-617 and applicable to units of local government, that becomes effective after the passage date hereof shall be incorporated in this chapter by reference. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this chapter by reference without formal action by the city council.

1-10-13: SEVERABILITY:

If any provision, clause, sentence, paragraph, section, or part of this chapter, or application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair, or invalidate the remainder of this chapter and the application of such provision to other persons or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved. It is hereby declared to be the legislative intent of the city council that this chapter would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section or part thereof not been included.

CHAPTER 209

Ethics Provisions

- 209.01 Definitions.
- 209.02 Prohibited political activities.
- 209.03 Gift ban.
- 209.04 Exceptions.
- 209.05 Disposition of gifts.
- 209.06 Ethics Advisor.
- 209.07 Ethics Commission.
- 209.08 Reimbursement of expenses.
- 209.99 Penalty.

209.01 DEFINITIONS.

For purposes of this chapter, the following terms shall be given these definitions:

(a) "Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities: (i) relating to the support or opposition of any executive, legislative, or administrative action; (ii) relating to collective bargaining; or (iii) that are otherwise in furtherance of the person's official duties.

(b) "Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in Section 1-3 of the Election Code, being 10 ILCS 5/1-3.

(c) "Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act, being 5 ILCS 315/3.

(d) "Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this chapter, does

not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

(e) "Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

(f) "Contribution" has the same meaning as that term is defined in Section 9-1.4 of the Election Code, being 10 ILCS 5/9-1.4.

(g) "Employee" means a person employed by the City, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

(h) "Employer" means the City of Berwyn.

(i) "Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value, including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

(j) "Leave of absence" means any period during which an employee does not receive: (i) compensation for employment; (ii) service credit towards pension benefits; and (iii) health insurance benefits paid for by the employer.

(k) "Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

(l) "Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities: (i) relating to the support or opposition of any executive, legislative or administrative action; (ii) relating to collective bargaining; or (iii) that are otherwise in furtherance of the person's official duties.

(m) "Political organization" means a party, committee, association, fund, or other organization, whether or not incorporated, that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code, being 10 ILCS 5/9-3, but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

(n) "Prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing or receiving payment for tickets for any political fund raiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- (4) Planning, conducting or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election.

(o) "Prohibited source" means any person or entity who:

(1) Is seeking official action: (i) by an officer; or (ii) by an employee, or by the officer or another employee directing that employee;

(2) Does business or seeks to do business: (i) with the officer; or (ii) with an employee, or with the officer or another employee directing that employee;

(3) Conducts activities regulated: (i) by the officer; or (ii) by an employee, or by the officer or another employee directing that employee; or

(4) Has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

(Ord. 04-09. Passed 4-13-04.)

209.02 PROHIBITED POLITICAL ACTIVITIES.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the City in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity: (i) as part of that officer or employee's duties; (ii) as a condition of employment; or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this chapter.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment; or (ii) in a position the salary for which is paid in whole or in part by Federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of

employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

(Ord. 04-09. Passed 4-13-04.)

209.03 GIFT BAN.

Except as permitted by this Section 209.03 through 209.05, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this section.

(Ord. 04-09. Passed 4-13-04.)

209.04 EXCEPTIONS.

(a) Section 209.03 is not applicable to the following:

(1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

(2) Anything for which the officer or employee, or his or her spouse or immediate family member pays the fair market value.

(3) Any (i) contribution that is lawfully made under the Election Code; or (ii) activities associated with a fund-raising event in support of a political organization or candidate.

(4) Educational materials and missions.

(5) Travel expenses for a meeting to discuss business.

(6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great-aunt, great-uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

(7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her

spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

(8) Food or refreshments not exceeding seventy-five dollars (\$75.00) per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared; or (ii) catered. For the purposes of this section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than one hundred dollars (\$100.00).

(b) Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

(Ord. 04-09. Passed 4-13-04.)

209.05 DISPOSITION OF GIFTS.

An officer or employee, his or her spouse or an immediate family member living with the officer or employee does not violate this chapter if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

(Ord. 04-09. Passed 4-13-04.)

209.06 ETHICS ADVISOR.

(a) The Mayor, with the advice and consent of the City Council, shall designate an Ethics Advisor. The duties of the Ethics Advisor may be delegated to an officer or employee of the City unless the position has been created as an office by the City.

(b) The Ethics Advisor shall provide guidance to the officers and employees of the City concerning the interpretation of and compliance with the provisions of this chapter and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the City Council.

(Ord. 04-09. Passed 4-13-04.)

209.07 ETHICS COMMISSION.

(a) There is hereby created a commission to be known as the Ethics Commission. The Commission shall be comprised of three members appointed by the Mayor with the advice and consent of the City Council. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the City. No more than two members of the Commission shall belong to the same political party at the time such appointments are made. Party affiliation shall be determined by affidavit of the person appointed.

(b) (1) At the first meeting of the Commission, the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve two- year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to two-year terms. Commissioners may be reappointed to serve subsequent terms.

(2) At the first meeting of the Commission, the Commissioners shall choose a Chairperson from their number. Meetings shall be held at the call of the Chairperson or any two Commissioners. A quorum shall consist two Commissioners, and official action by the Commission shall require the affirmative vote of two members.

(c) The Mayor, with the advice and consent of the City Council, may remove a Commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the Commissioner by certified mail, return receipt requested, of a copy of the written charges against the Commissioner, and after providing an opportunity to be heard in person or by counsel upon not less than ten days' notice. Vacancies shall be filled in the same manner as original appointments.

(d) The Commission shall have the following powers and duties:

(1) To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

(2) Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 209.99(c) and refer violations of Sections 209.02 or 209.03 to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this chapter and not upon its own prerogative.

(3) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this chapter.

(4) To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the City to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.

(5) The powers and duties of the Commission are limited to matters clearly within the purview of this chapter.

(e) (1) Complaints alleging a violation of this chapter shall be filed with the Ethics Commission.

(2) Within three business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within three business days after receipt by the Commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.

(3) A. Upon not less than 48 hours public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this chapter, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within seven business days after receiving the complaint.

B. If the complaint is deemed sufficient to allege a violation of Section 209.03 and there is a determination of probable cause, then the Commission's notice to

the parties shall include a hearing date scheduled within four weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

C. If the complaint is deemed sufficient to allege a violation of Section 209.02, then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

(4) On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

(5) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint; or (ii) issue a recommendation for discipline to the alleged violator and to the Mayor or other officer having authority to discipline the officer or employee, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

(6) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within seven business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within seven days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Mayor or other officer having authority to discipline the officer or employee or impose a fine upon the violator or both.

(7) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under division (e)(5) of this section within seven days after the complaint is filed, and during the seven days preceding that election, the Commission shall render such decision before the date of that election, if possible.

(8) The Commission may fine any person who intentionally violates any provision of Section 209.03 in an amount of not less than one thousand one dollars (\$1,001.00) and not more than five thousand dollars (\$5,000.00). The Commission may

fine any person who knowingly files a frivolous complaint alleging a violation of this chapter in an amount of not less than one thousand one dollars (\$1,001.00) and not more than five thousand dollars (\$5,000.00). The Commission may recommend any appropriate discipline up to and including discharge.

(9) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

(Ord. 04-09. Passed 4-13-04.)

209.08 REIMBURSEMENT OF EXPENSES.

(a) For purposes of seeking reimbursement, the Mayor is entitled to submit receipts for expenses relating to executing his or her official duties and obligations and such reimbursement of such expenses shall be granted not to exceed seven thousand five hundred dollars (\$7,500) per fiscal year.

(b) For purposes of seeking reimbursement, each Alderman is entitled to submit receipts for expenses relating to executing his or her official duties and obligations and such reimbursement of such expenses shall be granted not to exceed four thousand five hundred dollars (\$4,500) per fiscal year.

(c) A request for reimbursement along with copies of receipts and cover sheet summarizing expenses shall be submitted directly to the Finance Department for reimbursement and the Finance Department will time stamp a copy of same upon the request of the person submitting the request for reimbursement.

(d) The Finance Department shall issue payments to the Mayor and each Alderman in the amount requested as long as copies of verifiable receipts are attached to each request for reimbursement limited, of course, by the maximum amount allowable under this section.

(e) Copies of all requests for reimbursement including copies of all receipts shall be made available to the public upon request and shall be made available to the Internal Revenue Service by each recipient of reimbursement payments.

(Ord. 05-56. Passed 12-27-05.)

209.99 PENALTY.

(a) A person who intentionally violates any provision of Section 209.02 may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed two thousand five hundred dollars (\$2,500.00).

(b) A person who intentionally violates any provision of Section 209.03 is subject to a fine in an amount of not less than one thousand one dollars (\$1,001.00) and not more than five thousand dollars (\$5,000.00).

(c) Any person who intentionally makes a false report alleging a violation of any provision of this chapter to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed two thousand five hundred dollars (\$2,500.00).

(d) (1) A violation of Section 209.02 shall be prosecuted as a criminal offense by an attorney for the City by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

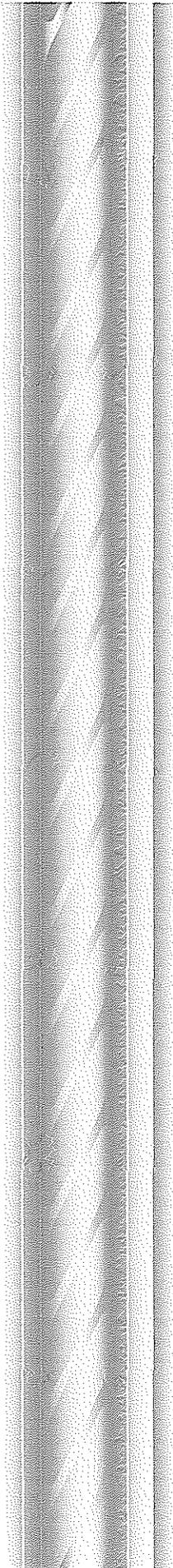
(2) A violation of Section 209.03 may be prosecuted as a quasi-criminal offense by an attorney for the City, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Section 209.02 or 209.03 is subject to discipline or discharge.

(Ord. 04-09. Passed 4-13-04.)

Section G

Reports and Communications From The City Clerk



Section H

Communications From The Zoning Board of Appeals



THE CITY OF BERWYN, ILLINOIS

Building A New Berwyn

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701

Telephone: (708) 788-2660 • Fax: (708) 788-2675 • www.berwyn-il.gov

August 28, 2007

ZONING BOARD OF APPEALS

CHAIRMAN: Joel Chrastka

EXECUTIVE SECRETARY: Milton F. Persin

MEMBERS:

Dominick Castaldo

Robert W. Fejt

Mary Esther Hernandez

Nora Laureto

Don Miller

City Clerk-City of Berwyn
6700 W. 26th Street
Berwyn, Illinois 60402

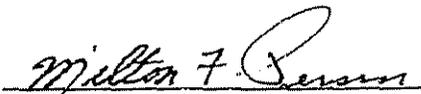
RE: Justin Meyers--1604 S.East Avenue

Dear Mr. Pavlik:

Enclosed is a Resolution and Ordinance pertaining to the above captioned Hearing(s) in which the Berwyn Zoning Board of Appeals recommends approval by the City Council.

Please present to the City Council at your earliest convenience.

Sincerely


Milton F. Persin
Executive Secretary

RESOLUTION

LEGAL DESCRIPTION

LOT 3 IN WALLECK'S SUBDIVISION OF BLOCK 69 IN THE SUBDIVISION OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS (EXCEPT THE SOUTH 300 ACRES THEREOF), IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS

1604 East Avenue

REQUEST BY APPLICANT

Second floor addition to a Non-Conforming Use Building.

APPLICANT-(Individually and Collectively)

Justin Meyers

DATE OF PUBLIC HEARING

August 21, 2007

DATE OF PUBLIC NOTICE PUBLICATION

August 2nd, 2007, Berwyn Gazette.

MEMBERS PRESENT

Messrs: Castaldo, Fejt, Miller, Chrastka, Persin, and Mrs. Latreto and Hernandez.

WHEREAS, IT IS HEREBY RESOLVED by the BERWYN ZONING BOARD OF APPEALS, (the "BOARD"), in a PUBLIC MEETING of the BOARD on the 21st day of August, in the year 2007, having considered all the facts presented at the Hearing of this matter;

WHEREAS, the APPLICANT has been duly informed that: (a) if the BOARD fully or partially approves the request of the APPLICANT and the CITY COUNCIL concurs in such decision; or (b) if the CITY COUNCIL fully or partially approves the request even though the BOARD has rejected the request of the APPLICANT or if the BOARD has made no recommendation to the CITY COUNCIL; the APPLICANT must obtain a building permit within SIX (6) MONTHS after the date that the ORDINANCE is enacted;

The BOARD has reached its decision after considering the testimony of the witnesses and the documents presented both prior to and during the Hearing, briefly set forth as follows:

1. The applicant, Mr. Justin Meyers, testified with some help from his brother, Joshua Myers, who is also his Architect. He purchased the property in May of 2002, and title is in his sole name.
2. The one story building, about 15 feet high, was previously occupied by the School District, is situated on a 25 foot lot so is classified as a Non-Conforming Use. He is remodeling the building as a residence for himself and for his future wife and children. The side yard to the south is about 3.00' and about .64' at the north lot line. There is a sidewalk at the north end of the lot extending east from the front entrance to the front lot line, and the set back is about 12.2+ feet. There is a concrete slab at the rear about 23 feet in length extending west to the alley line for parking at least two cars.
3. The lot measures 125.63' in length and 25 feet in width and the building measures about 89 feet' in length and about 21.36' in width. When he purchased the property, the inside consisted of one large open space with an office and two bathrooms at the rear of the building. It has a pitched peak roof and forced air heat with the furnace and other utilities at the rear of the building.
4. The Applicant has remodeled the first floor with a dining/living room combination, one bedroom, kitchen, a full bathroom, powder room, den, storage room and a utility room. The applicant proposes to remove the A frame and the existing roof, and use the existing rafters and replace with a second story addition about 10 feet high, built right up to the front bearing wall for proper support, and back west about 24-1/2 feet. Plans for the second floor include two bedrooms, a full bathroom, and a 6 foot open balcony within the dimensions of the building at the rear and a 4 foot open balcony extending east from the building at the front. Access to the second floor will be by way of a stairway from the dining room area on the first floor level. Since this is a heavy traffic area his plans also include a 4 foot high wood privacy fence surrounding the front yard area from the south lot line to the front entrance and sidewalk at the north end of the building, and he will update or replace the furnace and air conditioning. The witness has an estimate of around \$125,000.00 for all the work but hopes to reduce that figure.
5. There is about 5 feet between buildings at the south end of the lot and only about 2 feet at the north end of the lot. The gutters will be

flush with the roof line and the height of the building with the second floor addition will be about 25 feet at the south end and pitched down to about 23 feet at the north end.

6. Mr. Dominic Castaldo, the area investigator, did his investigation in presence of Mr. Justin Meyers on Wednesday, August 1st, and presented a written report which is incorporated by reference in this resolution. The building faces east on East avenue. There is about 5 feet separating the buildings at the south end of the lot with about 3 feet belonging to this property and 2 feet at the 1606 S. East Avenue property. The applicant's building is about 13 feet from the front lot line and the rear yard is a concrete slab measuring about 22' X 25. is not fenced, and is used for parking. The house to the north, which is a corner lot, is completely fenced and is set back about 1 foot from the front lot line. The area consists of bugalows and two flat buildings. Three of the properties in the area have fences enclosing their front yards. Notices fo the meeting were distributed to the residents in the area.

(At this point a discussion ensued and the applicant witness stated that he would be willing to eliminate the front yard four (4) foot balcony.)

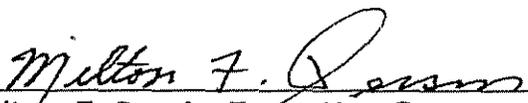
Mr. Castaldo voted to grant the variations requested for a second floor addition, a front yard fence, and a six foot open balcony at the rear, for this Non-Conforming Use property, but eliminating the proposed front 4 foot open balcony. Messrs: Fejt, Miller, Persin and Mrs. Hernandez agreed with the area investigator and voted the same. Mrs. Laureto voted in favor of the second floor addition with the six foot open balcony at the rear, eliminating the front yard 4 foot open balcony, and in addition eliminating the proposed front yard fence; and Mr. Chrastka voted against the entire project stating that the buildings are too close together at the north end of the lot. Those in favor stated that since the space between the buildings cannot be changed and has been there for many years, this addition will not greatly change or affect the present situation, and the fence is needed for privacy because of the heavy traffic in the area.

Five Board Members voted in favor of granting the second addition with the fence and only the 6 foot open balcony at the rear of the building; the sixth vote was for granting the second floor addition with only the 6 foot open balcony at the rear, but eliminating the front yard fence; and one vote was against the entire project. Therefore the

Board, with the five (5) votes in favor, recommends granting the variations requested for a second floor addition, a front yard fence, and only one six (6) foot open balcony at the rear of the building for this Non-Conforming Use property, in accordance with the testimony at the hearing and documents presented.

This resolution was adopted on the 21st day of August, in the year 2007.

BERWYN ZONING BOARD OF APPEALS


Milton F. Persin-Executive Secretary

VARIATION ORDINANCE # _____

Be it ordained by the City of Berwyn that:

Whereas, the question of granting the Variation(s) included in this ordinance was referred to the Board of Zoning Appeals to hold a Public Hearing thereon;
Whereas, such Public Hearing was held after Public Notice was given in the manner provided by law;

Whereas, the said Board has made a report containing findings of fact, and has recommended the granting of said Variation(s);

Whereas, the Applicant JUSTIN MEYERS

Has agreed to adhere to the Building Code of the City of Berwyn, Illinois;

Whereas, the Applicant has agreed that the representations made to the Zoning Board of Appeals and all other matters considered and as decided by the Zoning Board of Appeals shall be binding upon the Applicant and all of HIS privies, successors and assigns;

AND WHEREAS, THE FINDINGS AND RECOMMENDATIONS OF THE ZONING BOARD OF APPEALS ARE HEREBY ADOPTED AND MADE A PART HEREOF;

NOW THEREFORE, be it ordained by the City Council of the City of Berwyn, Illinois: The common address is 1604 East Avenue, and legally described as follows:

LOT 3 IN WALLECK'S SUBDIVISION OF BLOCK 69 IN THE SUBDIVISION OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS (EXCEPT THE SOUTH 300 ACRES THEREOF), IN COOK COUNTY, ILLINOIS.

Variations from the Zoning Code in regard to this Non-Conforming Use property is hereby granted to allow the construction of a second floor addition to the existing building, with a front yard 4 foot high fence, and a 6 foot open balcony at the rear, in accordance with the testimony at the hearing; documents presented, and the resolution.

This Ordinance shall become and be effective immediately upon its passage, approval and publication in the manner prescribed by law.

Passed this _____ day of _____, _____.

Number Voting Yes: _____ Number Voting No: _____

Absent: _____ Abstain _____

Approved this _____ day of _____, _____.

ATTEST:.

Tom Pavlik- City Clerk

Michael O'Connor-Mayor



HJD
THE CITY OF BERWYN, ILLINOIS

Building A New Berwyn

MICHAEL A. O'CONNOR, Mayor

6700 West 26th Street • Berwyn, Illinois 60402-0701

Telephone: (708) 788-2660 • Fax: (708) 788-2675 • www.berwyn-il.gov

August 28th, 2007

ZONING BOARD OF APPEALS

CHAIRMAN: Joel Chrastka

EXECUTIVE SECRETARY: Milton F. Persin

MEMBERS:

Dominick Castaldo

Robert W. Fejt

Mary Esther Hernandez

Nora Laureto

Don Miller

Mayor and City Council
C/O City Clerk
6700 W. 26th Street
Berwyn, Illinois 60402

RE: Potter's House Christian Fellowship Ministries
6950-52 Windsor Avenue

Dear Mr. Pavlik:

Enclosed is a Resolution pertaining to the above Hearing(s) in which the Berwyn Zoning Board of Appeals DENIED the request of the Applicant(s).

Please present this matter to the City Council for the final decision at your earliest convenience. If the City Council decides to approve the request of the Applicant, then either the City attorney can prepare the Ordinance or I can prepare the Ordinance upon request.

Sincerely

Milton F. Persin
Milton F. Persin-Executive Secretary

RESOLUTION

LEGAL DESCRIPTION

Lots 7 to 10 in Block 6 in Andrews and Piper's first addition to Berwyn a subdivision in Section 31, Township 39 North, Range 13, east of the third principal meridian, in Cook County, Illinois.

COMMON ADDRESS

6950-52 Windsor Avenue

REQUEST BY APPLICANT

Conditional Use-Religious Services & Meetings and Retail Sales.

APPLICANT-(Individually and Collectively)

THOMAS TRAVOLINA-THE POTTERS'S HOUSE CHRISTIAN FELLOWSHIP MINISTRIES.

DATE OF PUBLIC HEARING

August 21, 2007

DATE OF PUBLIC NOTICE PUBLICATION

August 2nd, Berwyn Gazette

MEMBERS PRESENT

Messrs: Castaldo, Fejt, Miller, Chrastka, Persin, and Mrs. Laureto and Hernandez.

WHEREAS, IT IS HEREBY RESOLVED by the BERWYN ZONING BOARD OF APPEALS, (the "BOARD"), in a PUBLIC MEETING of the BOARD on the 21st day of August, in the year 2007, having considered all the facts presented at the Hearing of this matter;

WHEREAS, the APPLICANT has been duly informed that: (a) if the BOARD fully or partially approves the request of the APPLICANT and the CITY COUNCIL concurs in such decision; or (b) if the CITY COUNCIL fully or partially approves the request even though the BOARD has rejected the request of the APPLICANT or if the BOARD has made no recommendation to the CITY COUNCIL; the APPLICANT must obtain a building permit within SIX (6) MONTHS after the date that the ORDINANCE is enacted;

The BOARD has reached its decision after considering the testimony of the witnesses and the documents presented both prior to and during the Hearing, briefly set forth as follows:

1. Mr. Thomas Travolina, Minister of the Potter House Ministry, testified, and he was represented by attorney Lawrence G. Zdarsky who also contributed to answering some of the questions asked by the Board Members. The witness stated that he has signed a lease which is contingent upon the approval of this Conditional Use request, for a three year term with options to renew each year thereafter.

2. This is a commercial rental with an address of 6950-52 Windsor Avenue and extends west to east from Home avenue about 200 feet and north to south about 100 feet, with a rear yard of about 25 feet. The tenant at the west end, which I will refer to as unit "A", is a Day Care Center, and the tenant at the east end, which I will refer to as unit "C", is a Law Office. The premises in question, which I will refer to as unit "B", is the middle store front rental unit with a width of 34 feet on Windsor and extends south about 100 feet. There is a playground directly in the 25 foot area behind the Day Care Center.

3. The Applicant signed the lease about one month ago and unit B is vacant at this time. This is a brick one story building about 20 feet high, situated right up to the east and west lot lines with forced air heat and air conditioning equipment on the flat roof which is pitched downward to the south rear of the building. The inside presently consists of a large area divided by a wall, an 8 foot foyer, and a wall at the rear separating the two bath rooms from the main area.

4. Mr. Travolina testified that he is a carpenter by trade and received his Ordination Certificate as a Minister on August 1st, 2006 from "The Door Christian Fellowship Church, Inc.". The witness stated that he did not attend any seminary but earned his Certificate by working with his former Minister in North Carolina on a day to day basis. The full name of the ministry with which he is now associated is "The Potter's House Christian Fellowship Ministries." His present location is at 5243 W. 25th Street in Cicero, Illinois, and the congregation consists of about 40 to 50 people, mostly from the Berwyn area. His main activities consist of preaching the bible and counseling, and he will terminate his tenancy at that location.

5. The agenda at this new Berwyn location will include three bible preaching services, two on Sunday from 11:00 A.M. to about 12:00 P.M., the second at 7:00 P.M. to about 8:00 to 8:30 P.M., and the third on Wednesday from 7:30 P.M to 8:30 P.M. He expects that these

services will be attended by no more than 45 people. The store hours for sale of the items mentioned in the next paragraph will be from about one hour prior to the services to one hour after. Counseling will be only by appointment and special seminars, some with guest speakers, may be scheduled from time to time in the evening hours starting at around 7:30 P.M. There are two parking spaces at the rear of the building and more than enough parking available on the street and across at the railroad tracks.

6. In addition they will also sell Dvd's, Cd's and Tapes, in a store on the premises to be located in the middle of the leased area. (Attorney Zdarsky then stated that even though the applicant is a Not-For-Profit Corporation approved by the Secretary of State under the name of "Potter's House Christian Church", this use of the premises will not affect the real estate taxes that are paid by the owner nor the sales taxes.) They will also have some special meetings on other occasions on various subjects and guest speakers, along with general counseling by appointment as necessary.

7. The only persons involved with this ministry at the present time shall be he and his wife Denise, who plays the keyboard and assists him generally. He will continue to work as a carpenter but will devote whatever time is necessary to this Ministry.

8. There are no fire sprinklers in the building but they will otherwise conform to all the fire codes. There are two entrances and exits. one at the front of the building and the other at the rear, and both will be accessible.

9. Attorney Lawrence G. Zdarsky in his closing statement to the Board said that the retail operation is consistent with what is there now and this use as contemplated will not be detrimental to the area. He repeated that the use will not affect the real estate or sales taxes and they will comply with the zoning ordinance in regard to signs, which probably will be printed on the front window.

10. Mr. Anthony C. Harris, 3444 S. Kenilworth Avenue, testified that he and many of his neighbors are concerned about this proposed store front church. This overall plan for this area is retail oriented to ease the tax burden, which is why there is an Overlay District, and this rather small business operation within the church does not qualify.

(Mr. Zdarsky pointed out that a church is allowed as a Conditional Use and is not a listed restricted use in the Overlay District.)

11. Mrs. Denise Cushaney, 6523 28th Street, testified that she is concerned about the type of persons seeking counseling help, such as drug addicts, etc. These people, if they need help, can get professional counseling from other sources in the City of Berwyn. This is not the right location.

(Mr. Zdarsky stated that this will be no Rehab Center or Half Way House.)

12. Shalisa Kline, 3444 Home Avenue, testified that she has lived in Berwyn for over 5 years and she is concerned over what affect such a store front church will have on the area. This is not the right location.

13. Julia Pavlicek, 2722 S. Highland Avenue, testified that this church will bring in people that will then shop in the City and will be helpful to other business establishments.

14. Alderman Mark Weiner testified that the City actually gave the owner of the building a grant of around \$280,000.00 to remodel this building to help preserve and perpetuate the area for retail business establishments and also granted \$35,000.00 to the Day Care Center. This will affect property taxes and a store front church will be a detriment to the overall plan for the area.

15. Alderman Nona Chapman testified that there are six (6) churches within two (2) blocks of this address. Also, the Zoning Code provides under Section 1258.02 (s) that a church cannot have less than 40,000 square feet and this property does not comply. She then read the purpose and restrictions as is provided in Section 1258.13 in regard to the Special Regulations For The Retail Overlay District. She is against granting the Conditional Use as it is not in line with the purpose and plans for that area.

(One of the persons attending the meeting said he has seen some disturbing things said about similar churches on the internet. Mr. Zdarsky responded that there is no comparison to this particular church and this is not a cult type church. He also stated that the 40,000 square foot restriction is ridiculous because if the square footage was over 40,000 square feet, then it would be even less acceptable to the persons objecting. However, the applicant is also asking for a variation from that restriction.)

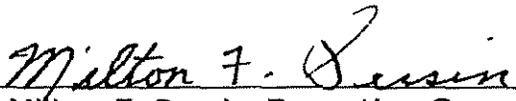
16. Mrs. Denise Travolina, wife of the applicant, testified that this church will be good for the neighborhood as a family oriented project.

18. Messrs: Castaldo, Fejt, Miller, Persin and Mrs. Hernandez all agreed with the area investigator and Mr. Chrastka abstained from voting as he also is an Ordained Minister. Comments were: (i) that this area has been specifically set aside for retail development as is evidenced by the Overlay District; (ii) previous grants of money have been given to the owner for retail development; (iii) the requested use of the property is not in line with such goals and purpose; (iv) and although a church is not listed as a restricted use in the Overlay District, it would have to be approved as a Conditional Use, which then gives the Zoning Board and the City Council the opportunity to determine if the requested use is compatible with the plans and purpose of the Overlay District in that area.

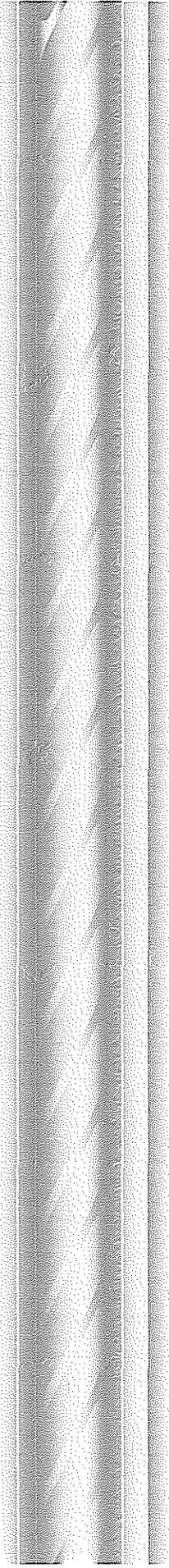
The final vote was 6 to 0 against granting the Conditional Use, and other variation requested to operate this store front church, all in accordance with the testimony at the hearing and the documents presented. Mr. Chrastka was present but abstained from voting.

This resolution was adopted on the 21st day of August, 2007.

BERWYN ZONING BOARD OF APPEALS

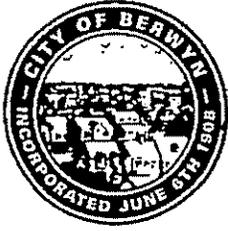


Milton F. Persin-Executive Secretary



Section I

Reports and Communications From Aldermen, Committees, Boards and Commissions



THE CITY OF BERWYN, ILLINOIS

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567
www.berwyn-il.gov

NONA N. CHAPMAN

First Ward Alderman

IM: (708) 484.Nona (6662)

E-Mail: 1stWard@Berwyn-IL.Gov

September 6, 2007

Mayor Michael A. O'Connor
Members of the City Council
City of Berwyn

SUBJECT: 6th Annual Oktoberfest Information

Ladies and Gentlemen:

Berwyn's Historic Depot District Special Events Committee will be sponsoring its 6th Annual Oktoberfest on Friday, September 21 (from 6:00 to 11:00 p.m.) and Saturday, September 22, 2007 from noon until 11:00 PM. The fest will be held in the heart of the Depot District and all are cordially invited to attend. Event setup will begin on Thursday evening; parking will be restricted along Windsor Ave. from Home to Oak Park Ave. and on Grove Ave. from Windsor Ave. to approximate half the length of Grove Ave. to 34th Street (or stopping at the half way point of the Municipal Parking lot). Cars may utilize Citizens Bank Parking (west side) and special neighborhood street parking, for Friday Depot traffic

The Depot District will be rocking on Friday night with the sounds of **Question Mark and the Mysterians** and will, once again, enjoy **Infinity** on Saturday night. Along with a variety of musical talent, two stages will be kept busy from noon until close. The Beer Garden will have tables for people to sit, relax and enjoy eats and treats from the food court, showcasing local restaurants. In addition, the kids' activities area will be a delight for both parents and children.

Throughout the festivities, the area will be secured and monitored by the Berwyn Police Department, as well as private overnight security officers.

We hope you, your friends and families will enjoy the fun and good company extended to you.

Please accept this communication as informational as it is my obligation to validate the existing approval of the Oktoberfest 2 day event, as approved with the same corporation, and city services that has existed in the past (Public Works, Police Dept. & Fire Dept.).

Thank you for your cooperation in this matter.

Respectively,

Nona N. Chapman
1st Ward Alderman



THE CITY OF BERWYN, ILLINOIS

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567
www.berwyn-il.gov

NONA N. CHAPMAN

First Ward Alderman

IM: (708) 484.Nona (6662)

E-Mail: 1stWard@Berwyn-IL.Gov

September 6, 2007

Mayor Michael A. O'Connor and
Members of the City Council
City of Berwyn

SUBJECT: Recruiting members for the established City of Berwyn "Ethics Board "

Ladies and Gentlemen:

The Berwyn City council established and approved an "Ethics Ordinance" 1 year ago on September 12, 2006. Since there has been a great deal of discussion and questions about this Ordinance, it would be my recommendation to review the ordinance and recruit members to the Board.

It would be my request to send this communication jointly to the Administration committee and the Ordinance and Resolution committee for discussion, review and recommendation.

Respectfully,

Nona N. Chapman
1st Ward Alderman



1-3

Michele D. Skryd
ALDERMAN FOURTH WARD
BERWYN, ILLINOIS

September 7, 2007

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

RE: Closure of Elmwood Avenue south from Cermak Road to the alley for Houby Day Event

Ladies and Gentlemen:

The Berwyn Main Street Foundation will be partnering with the Cicero Chamber of Commerce for the 2007 Houby Day Festival. The BMS would like to host a Beer Garden and Entertainment Stage. This will be held on October 6, and 7, 2007. The BMS is working with Mr. Joe Pave Sr. and will be using his lot. The BMS is asking for permission to close Elmwood Avenue south from Cermak to the alley for the Beer Garden and entertainment.. BMS will provide proper insurance and attached is a Hold Harmless agreement with the City of Berwyn.

It would be my recommendation sign the agreement and to allow the BMS to use said area for the Houby Day event.

Respectfully,

Michele D. Skryd
4th Ward Alderman

LICENSE AGREEMENT

This License Agreement (hereinafter referred to as the "Agreement") is made this ___ day of _____, 2007, between the **BERWYN MAIN STREET, INC.**, an Illinois not-for-profit corporation (hereinafter referred to as "BMS"), and the City of Berwyn, an Illinois Municipality (hereinafter referred to as the "City").

WHEREAS, BMS has need of temporary location along Cermak Road in Berwyn for a beer garden and entertainment area during Houby Festival 2007 (hereinafter referred to as the "Festival") on October 6 and October 7, 2007; and

WHEREAS, the City is the owner of real property located at Cermak Road and Elmwood Avenues, south from Cermak Road to the alley, Berwyn, Illinois. The licensed property consists of the paved parking area, which is sufficient to meet the stated needs of BMS for parking during the Festival; and

WHEREAS, the City is willing to grant a temporary license, right and privilege to BMS and its Vendors, subject to the terms and conditions of this Agreement, for conducting a beer garden, along with the possible sale of other alcoholic beverages, staging various forms of entertainment, as well and related vehicle ingress, egress and parking as well as pedestrian ingress and egress on the Site.

NOW, THEREFORE, for good and sufficient consideration acknowledged as in hand received and in consideration of the mutual covenants, representations and conditions hereinafter contained, BMS and the Owner agree as follows:

Section 1: License Granted/Duration. The City grants to BMS an exclusive, temporary license for the time required to complete the Festival, specifically from October 5, 2007, at 6:00 a.m., to October 9, 2007, at 12:00 a.m., for the purpose of conducting a beer garden, along with the possible sale of other alcoholic beverages, staging various forms of entertainment, as well and related vehicle ingress, egress and parking and pedestrian ingress and egress on the Site. The City grants the exclusive, temporary license to BMS at no charge or cost.

Section 2: Indemnification. Berwyn Main Street shall indemnify and hold harmless the City from any and all expenses (including reasonable attorneys' fees and costs), claims, liability, losses or causes of action for injury to or death of any person or persons and for loss or damage to any property which arises from the grant of this license, except in the case where a court of competent jurisdiction finds that such liabilities, injuries, losses, death and damages are caused solely by the City's own willful and wanton or negligent acts or omissions.

Section 4: Miscellaneous Provisions.

- a) **Amendment:** This Agreement, including all Exhibits attached hereto, represents the entire, integrated agreement between the parties hereto with respect to the license granted herein and shall supersede all prior negotiations, representations or agreements pertaining thereto, either oral or written.
- b) **Applicable Law and Venue:** This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois and venue for any lawsuits shall be Cook County, Illinois.
- c) **Counterparts:** This Agreement may be signed upon any number of counterparts with the same effect as if the signatures to each were upon the same Agreement.

IN WITNESS WHEREOF, the parties hereto executed this Agreement on the date(s) written below and this Agreement shall be effective as of the date that the last signatory signs this Agreement.

BERWYN MAIN STREET, INC.

By: _____

By: _____

Its: _____

Date: _____

Date: _____

Attest:

Attest:

By _____

Its: _____

Its: _____

Date: _____

Date: _____

Section J

Staff Reports

J1

CITY OF BERWYN

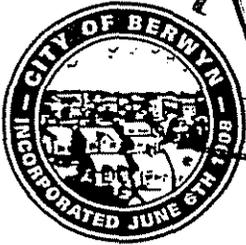
CITY COUNCIL MEETING September 11, 2007

Deferred Communication

Agenda Item J-1 is a Deferred Communication from C C Meeting dated 8/28/07 Agenda item #20

FROM: City Attorney

RE: Intergovernmental Safety Enforcement Agreement



THE CITY OF **BERWYN, ILLINOIS**

Building A New Berwyn

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567
www.berwyn-il.gov

ITEM NO. 20
DATE AUG 28 2007
DISPOSITION _____

August 23, 2007

To: Honorable Mayor O'Connor
Aldermen of the City Council

Dejes

From: Bruce Bonebrake, City Attorney

Re: Intergovernmental Safety Enforcement Agreement

Dear Ladies and Gentlemen,

The attached draft agreement been reviewed by the Police and Law Departments following a formal request submitted by the Berwyn Park District regarding citation enforcement and adjudication. Please review the attached agreement for Council approval.

Sincerely,

Bruce A. Bonebrake
City Attorney

INTERGOVERNMENTAL SAFETY ENFORCEMENT AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is entered into this ____ day of August, 2007, by and between the City of Berwyn, an Illinois home rule municipal corporation (the "City"), and the Berwyn Park District (the "District"), operating in conformance with the provisions of the Intergovernmental Cooperative Act (5 ILCS 220-1, et seq.), and the Illinois Park District Act (70 ILCS 1205-1, et seq.) (the "Acts").

RECITALS

A. Chapter 5, Section 220/3 of the Illinois Compiled Statutes, 2005, as revised, allows units of local government to enter into agreements for the purpose of exercising joint authority.

B. Pursuant to this authority, the City and District have passed, from time to time, various Ordinances relating to the control of the conduct of all persons and patrons under the jurisdiction of the District and areas adjacent whether under District or City jurisdiction.

C. The District wishes to limit the use of its parks and to control the conduct of persons and patrons of the parks under its jurisdiction.

D. Pursuant to Berwyn Park District Ordinance No., O-07-02, Certified Police Officers of the City of Berwyn are authorized to police these parks and issue citations to persons for violations of these ordinances.

E. The District, from time to time employs off-duty City law enforcement officers on a part-time bases for purposes of law enforcement within the District's parks.

F. The City has an established local ordinance prosecution system wherein City attorneys and law enforcement officers, if requested, appear in court on regularly scheduled days for purposes of prosecuting citations and other charges issued.

G. Article VII, Section 10, of the Illinois Constitution provides that units of local government may contract among themselves to obtain or share services, to exercise, combine or transfer any power or function in any manner not prohibited by law or ordinance, and use their revenues to pay costs related to intergovernmental activities. Additionally, the Illinois Intergovernmental Cooperation Act provides that one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform.

H. The District requested the City to prosecute on the District's behalf citations for ordinance violations issued by District law enforcement officials in the District parks, on the terms and conditions contained in this Agreement.

I. After due consideration, the City is agreeable to the District's request, subject to the terms and conditions contained in this Agreement.

NOW, THEREFORE, based on the mutual promises and considerations set forth herein, the terms and conditions hereof, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Incorporation of Recitals. The foregoing recitals shall be and are hereby incorporated into and made part of this Agreement as though fully set forth in this Section 1.

Section 2. Administrative Adjudication. The City agrees that citations issued by certified law enforcement officers of the District and/or the City for offenses committed within the District's parks shall be prosecuted as part of the City's local ordinance and administrative adjudication systems, and the City Prosecutor for the City of Berwyn shall act as the District's prosecutor when the matters of the ordinance violations are presented in court.

Section 3. Compensation. The District agrees that 50% of the amount of all fines collected by the District pursuant to this agreement for all citations issued and prosecuted by the City of Berwyn for City or District ordinance violations taking place within the District's parks shall be promptly paid from the District's treasury to the City as compensation for its services pursuant to the aforesaid intergovernmental agreement. All fines collected are subject to reasonable administrative fees as agreed to by the parties before dispersing funds to either party.

Section 4. Administrators of this Agreement. The respective administrators of the District and the City are hereby authorized by each of their respective governing boards to coordinate and perform such activities as are necessary to implement and maintain this Agreement.

Section 5. Termination. This Agreement shall terminate upon delivery of not less than 180 days written notice by either party.

Section 6. Entire Agreement. This Agreement sets forth all of the promises, agreements, conditions and understandings between the parties regarding the subject matter of this Agreement, and there are no promises, agreements, conditions and understandings, either oral or written, other than the contents of this Agreement.

Section 7. Binding Effect. This Agreement shall be binding upon and inure to the benefit the City and the District, and their respective legal representatives and successors.

Section 8. Partial Invalidity. The clauses, provisions and sections of this Agreement are deemed by the parties to be separable and the invalidity of any portion of this Agreement shall not affect the validity of the remainder.

Section 9. Notices. All notices and demands required hereunder shall be in writing and shall be deemed to have been given or made when delivered personally, with proof of delivery thereof, or when mailed by registered or certified mail, postage prepaid, or by facsimile transmission followed on the same date as the facsimile by mailing, addressed as follows:

For the City: City of Berwyn
Attention: Thomas Pavlik, City Clerk
6701 West 26th Street
Berwyn, Illinois 60402
Fax No.: 708-788-2675

With a copy to: Berwyn Police Department
Attention: William Kushner, Chief of Police
6401 W. 31st Street,
Berwyn, Illinois 60402
Fax No. 708-795-5627

For the District: Berwyn Park District
Attention: Jeffrey Janda, Executive Director
3701 S. Scoville Avenue
Berwyn, Illinois 60402
Fax No. 708-788-1345

With a copy to: Michael M. Roth, Esq.
Wildman, Harrold, Allen & Dixon, LLP
2300 Cabot Drive, Suite 455
Lisle, IL 60532
Fax No.: 630-955-0662

or at other such addresses as the parties may indicate in writing to the other either by personal delivery or by certified or registered mail, return receipt requested, with proof of delivery thereof, or by facsimile.

Section 10. Execution. This Agreement is entered into by the duly authorized agents of the parties, each acting pursuant to the laws and ordinances governing their designation as signatories of this Agreement.

City:

District:

CITY OF BERWYN, an Illinois municipal corporation

BERWYN PARK DISTRICT, organized and operating in conformance with the provisions of the Illinois Park District Act

By: _____
Michael A. O'Connor, Mayor

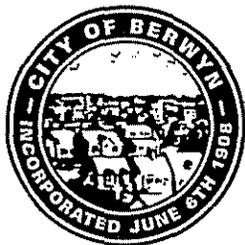
By: _____
Executive Director

ATTEST:

ATTEST:

By: _____
Tom Pavlik,, City Clerk

By: _____



S. J.
THE CITY OF BERWYN, ILLINOIS *Building A New Berwyn*

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567
www.berwyn-il.gov

September 7, 2007

To: Honorable Mayor O'Connor
Aldermen of the City Council

From: Bruce Bonebrake, City Attorney

Re: Intergovernmental Safety Enforcement Agreement

Dear Ladies and Gentleman,

The above-referenced Agreement has been revised to clarify the understanding that any fines collected from Berwyn Park District enforcement of local ordinance violations will be subject to remittance of administrative fees prior to equal distribution to the City and Park District. Thus, a \$100.00 fine paid in a timely manner would likely result in a \$30.00 distribution to the Park District and \$70.00 distribution to the City for Administrative fees (\$40.00) and revenue sharing (\$30.00). Fines not paid in a timely manner are additionally subject to interest accrual for each delinquent billing period, with such additional sums paid to cover administration collection costs. The intent of the program is to provide enhanced enforcement at public park properties and the fines collected would become revenues otherwise unrealized. Approval is respectfully requested.

Sincerely,

Bruce A. Bonebrake
City Attorney

**INTERGOVERNMENTAL LOCAL ORDINANCE ENFORCEMENT
AGREEMENT**

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is entered into this ____ day of August, 2007, by and between the City of Berwyn, an Illinois home rule municipal corporation (the "City"), and the Berwyn Park District (the "District"), organized and operating in conformance with the provisions of the Illinois Park District Act (70 ILCS 1205-1, et seq.) (the "Acts").

RECITALS

A. Chapter 70, Section 1205/8-1(d) of the Illinois Compiled Statutes, 2005, as revised grants to the Berwyn Park District (the "District") the power to establish by ordinance all rules and regulations necessary for the government and protection of parks, boulevards, driveways and other property under the jurisdiction of the District; and

B. Chapter 70, Section 1205/8-1(d) of the Illinois Compiled Statutes, 2005, as revised grants to the District the power to impose such fines and penalties for violation of ordinances as it shall deem proper, provided such fines do not exceed \$1000.00 for any one offense.

C. Pursuant to this authority, the City and District have passed, from time to time, various Ordinances relating to the control of the conduct of all persons and patrons under the jurisdiction of the District and areas adjacent whether under District or City jurisdiction.

D. The District wishes to limit the use of its parks and areas adjacent and to control the conduct of persons, and patrons of the parks under its jurisdiction and areas adjacent.

E. Pursuant to Berwyn Park District Ordinance No., O-07-02, Certified Police Officers of the City of Berwyn are authorized to police these parks and issue citations to persons for violations of these ordinances.

F. The District, from time to time employs off-duty certified law enforcement officers on a part-time bases for purposes of law enforcement within the District's parks.

G. The City has an established local ordinance prosecution system wherein City attorneys and law enforcement officers, if requested, appear in court on regularly scheduled days for purposes of prosecuting citations and other charges issued.

H. Chapter 5, Section 220/3 of the Intergovernmental Cooperative Act, (5 ILCS 220-1, et seq.), , as revised, allows units of local government to enter into agreements for the purpose of exercising joint authority.

I. Article VII, Section 10, of the Illinois Constitution provides that units of local government may contract among themselves to obtain or share services, to exercise, combine or transfer any power or function in any manner not prohibited by law or ordinance, and use their

revenues to pay costs related to intergovernmental activities. Additionally, the Illinois Intergovernmental Cooperation Act provides that one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform.

J. The District requested the City to prosecute on the District's behalf citations for ordinance violations issued by District law enforcement officials in the District parks and areas adjacent thereto, on the terms and conditions contained in this Agreement.

K. After due consideration, the City is agreeable to the District's request, subject to the terms and conditions contained in this Agreement.

NOW, THEREFORE, based on the mutual promises and considerations set forth herein, the terms and conditions hereof, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Incorporation of Recitals. The foregoing recitals shall be and are hereby incorporated into and made part of this Agreement as though fully set forth in this Section 1.

Section 2. Administrative Adjudication. The City agrees that citations issued by certified law enforcement officers of the District and/or the City for offenses committed within the District's parks shall be prosecuted as part of the City's local ordinance and administrative adjudication systems, and the City Prosecutor for the City of Berwyn shall act as the District's prosecutor when the matters of the ordinance violations are presented in court.

Section 3. Compensation. The Parties agree that 50% of the net amount of all fines collected by the District pursuant to this agreement for all citations issued and prosecuted by the City of Berwyn for City or District ordinance violations taking place within the District's parks shall be promptly paid from the District's treasury to the City as compensation for its services pursuant to the aforesaid intergovernmental agreement. All fines collected are subject to reasonable administrative fees as agreed to by the parties before dispersing funds to either party. The "net" amount of fines collected shall be the amount remaining after deductions or payment of fees and costs.

Section 4. Administrators of this Agreement. The respective administrators of the District and the City are hereby authorized by each of their respective governing boards to coordinate and perform such activities as are necessary to implement and maintain this Agreement.

Section 5. Termination. This Agreement shall terminate upon delivery of not less than 180 days written notice by either party.

Section 6. Entire Agreement. This Agreement sets forth all of the promises, agreements, conditions and understandings between the parties regarding the subject matter of this Agreement, and there are no promises, agreements, conditions and understandings, either oral or written, other than the contents of this Agreement.

Section 7. Binding Effect. This Agreement shall be binding upon and inure to the benefit the City and the District, and their respective legal representatives and successors.

Section 8. Partial Invalidity. The clauses, provisions and sections of this Agreement are deemed by the parties to be separable and the invalidity of any portion of this Agreement shall not affect the validity of the remainder.

Section 9. Notices. All notices and demands required hereunder shall be in writing and shall be deemed to have been given or made when delivered personally, with proof of delivery thereof, or when mailed by registered or certified mail, postage prepaid, or by facsimile transmission followed on the same date as the facsimile by mailing, addressed as follows:

For the City: City of Berwyn
Attention: Thomas Pavlik, City Clerk
6700 West 26th Street
Berwyn, Illinois 60402
Fax No.: 708-788-2675

With a copy to: Berwyn Police Department
Attention: William Kushner, Chief of Police
6401 W. 31st Street,
Berwyn, Illinois 60402
Fax No. 708-795-5627

For the District: Berwyn Park District
Attention: Jeffrey Janda, Executive Director
3701 S. Scoville Avenue
Berwyn, Illinois 60402
Fax No. 708-788-1345

With a copy to: Michael M. Roth, Esq.
Ice Miller, LLP
2300 Cabot Drive, Suite 455
Lisle, IL 60532
Fax No.: 630-955-0662

or at other such addresses as the parties may indicate in writing to the other either by personal delivery or by certified or registered mail, return receipt requested, with proof of delivery thereof, or by facsimile.

Section 10. Execution. This Agreement is entered into by the duly authorized agents of the parties, each acting pursuant to the laws and ordinances governing their designation as signatories of this Agreement.

City:

District:

CITY OF BERWYN, an Illinois municipal corporation

BERWYN PARK DISTRICT, organized and operating in conformance with the provisions of the Illinois Park District Act

By: _____
Michael A. O'Connor, Mayor

By: _____
Executive Director

ATTEST:

ATTEST:

By: _____
Tom Pavlik,, City Clerk

By: _____



13

THE CITY OF **BERWYN, ILLINOIS**

Building A New Berwyn

MICHAEL A. O'CONNOR, *Mayor*

West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567

www.berwyn-il.gov

September 7, 2007

To: Honorable Mayor O'Connor
Aldermen of the City Council

From: Bruce Bonebrake, City Attorney

Re: Enforcement Agreement for Cermak Plaza

Dear Ladies and Gentleman,

The above-referenced Agreement is respectfully submitted for approval and renews the ability of the City to enforce municipal code violations throughout the Plaza site.

Sincerely,

Bruce A. Bonebrake
City Attorney

AGREEMENT FOR REGULATION OF PARKING
OF MOTOR VEHICLES AND TRAFFIC AT THE SHOPPING CENTER
IN THE CITY OF BERWYN

This Agreement, made and entered into this 14 day of July, 1987, by and between the City of Berwyn, a municipal corporation of the State of Illinois (hereinafter called the "City") and CERMAK PLAZA ASSOCIATES, a New York Partnership, (hereinafter called "Owner").

W I T N E S S E T H:

WHEREAS, CERMAK PLAZA ASSOCIATES, a New York Partnership, is the owner of a Shopping Center which controls a parking area located within the limits of the City, and which is legally described as follows:

WHEREAS, CERMAK PLAZA ASSOCIATES, a New York Partnership, desires to enter into an Agreement with the City in order to empower the City to regulate the parking of motor vehicles and the traffic at such parking area, pursuant to the provisions of Chapter 95½, Section (11-209) (11-209.1), Illinois Revised Statutes; and

WHEREAS, the City Council of the City and the general partners, CERMAK PLAZA ASSOCIATES, a New York Partnership, have authorized the ratification of the terms, provisions and conditions of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. The City hereby agrees to establish and enforce the following regulations within the Shopping Center:

- A. The maximum speed limit for any vehicle shall be ten (10) miles per hour.
- B. Stop signs shall be posted at all exits and the driver of a vehicle emerging from the Shopping Center shall stop such vehicle immediately prior to driving onto a sidewalk or street, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the street or roadway shall yield the right-of-way to all vehicles approaching on said street or roadway;
- C. The stopping, standing or parking of any motor vehicle on the roadway or driveway which lies directly in front of the stores located within the shopping center in excess of fifteen (15) minutes, shall be prohibited.
- D. The prohibition of parking by vehicles not driven by, or used by, handicapped persons, in parking spaces designated only for use by the handicapped.
- E. The stopping, standing, or parking of any motor vehicle which is not driven by or used by an employee or customer of Cermak Plaza within the shopping center during the hours of 12:00 A.M. to 6:00 A.M. shall be prohibited, except that any motor vehicle having a decal or sticker issued by the Owner shall not be subject to this restriction.

F. The removal and storage of any vehicle parked within the Shopping Center which is left unattended for a period of seven (7) days or which is left unattended anywhere within the area covered by this Agreement in such a manner as to constitute an obstruction to traffic or where stopping, standing or parking is prohibited. The City shall remove such vehicle to the municipal storage area and shall retain it until a charge is made for the removal and storage in accordance with ordinance provisions.

G. The prohibition of parking of vehicles not driven by or used by employees or customers of Cermak Plaza.

H. The prohibition of dumping upon the premises covered herein.

2. The Owner does hereby agree to erect signs relating to the aforesaid regulations at appropriate places within the shopping center.

3. The Owner does hereby agree to bear the costs and expenses of obtaining, erecting and maintaining any and all signs necessary to the enforcement of the aforesaid regulations.

4. The Owner further agrees to make available at its own expense, a distinctive decal or sticker for the use of its employees and other authorized personnel, such decal or sticker to be placed on the automobile of said persons for identification purposes.

5. The City hereby agrees to regulate the parking of automobiles and the traffic at the said shopping center to enforce the aforesaid regulations.

6. Where any owner or user of a vehicle shall use or permit the use of a vehicle in a manner contrary to the regulations contained within this agreement, the City will enforce its ordinances against such person as if the action had taken place on a public highway.

7. It is mutually agreed that this agreement shall cover a period of one (1) year from the date hereof and shall be self renewing for periods of one (1) year each thereafter, not to exceed a period of 20 years, unless and until cancelled by not less than thirty (30) days' written notice by either party to the other of its intention to cancel same, in which case, the agreement shall terminate on the first day of January in the year next following the filing of the cancellation notice.

8. Whenever notice to the City is required, it shall be addressed to:

CITY OF BERWYN
6700 W. 26TH ST.
BERWYN, IL 60402

When notice to the Owner is required, it shall be addressed to:

CERMAK PLAZA ASSOCIATES,
A New York Partnership
P.O. BOX 548
RYE, NEW YORK, 10580

9. The Owner hereby agrees to release and hold harmless and defend (including the payment of all costs and attorneys fees) the City, its officers and agents, in connection with any and all actions or claims for any loss, damage, personal injury or death occurring as a consequence of the performance of this agreement and shall procure insurance to protect, save harmless and indemnify the City pursuant thereto. Such insurance shall be in the minimum amount of One Million (\$1,000,000.00) Dollars and



THE CITY OF **BERWYN, ILLINOIS**

Building A New Berwyn

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567

www.berwyn-il.gov

September 7, 2007

To: Honorable Mayor O'Connor
Aldermen of the City Council

From: Bruce Bonebrake, City Attorney

Re: Retroactive Municipal Utility Tax Exemption

Dear Ladies and Gentleman,

The above-referenced Ordinance has been revised per the request of Council to reflect the retroactive nature of the exemption. Approval is respectfully requested.

Sincerely,

Bruce A. Bonebrake
City Attorney

ORDINANCE NO.

AN ORDINANCE EXEMPTING UNITS OF LOCAL GOVERNMENT FROM THE MUNICIPAL UTILITY TAX AND AMENDEING SECTION 886.03 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

WHEREAS, the City of Berwyn (the "*City*"), is a home rule municipality within the purview of Article VII, Section 6(a) of the Illinois Constitution (1970), and, as such, may exercise any power and perform any function pertaining to its government and affairs; and,

WHEREAS, the Mayor and City Council have determined that units of local government should enjoy exemptions from the municipal utility tax component of any taxes paid with respect to any City of Berwyn utility rates paid since January 1, 2006 and prospectively paid hereinafter.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its home rule power, as follows:

SECTION 1: Section 886.03 of the Codified Ordinances, as amended is hereby amended to read as follows:

- a. No tax shall be imposed by this chapter with respect to any transaction in interstate commerce or otherwise to the extent to which such business may not, under the Constitution and Statutes of the United States, be made subject to taxation by the State and any political subdivision thereof.
- b. No tax shall be imposed by this chapter with respect to the distribution, supply, furnishing or sale to any political subdivision of the State of Illinois for use in any building located in the City of Berwyn which is owned by such a political subdivision and which building is used solely for governmental public purposes.

SECTION 2: All such taxes paid by any applicable local government for the period of usage commencing on January 1, 2006 shall be reimbursed to each such governmental unit upon written verification of the proper prior amounts paid.

SECTION 3: If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

SECTION 4: All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

ADOPTED this 11th day of September, 2007, by the City Council of the City of Berwyn, Cook County, Illinois, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Ramos				
Weiner				
Skryd				
Phelan				
Lovero				
Erickson				
O'Connor (Mayor)				
TOTAL				

APPROVED by the Mayor on _____, 2007.

ATTEST:

 Michael A. O'Connor
 MAYOR

 Thomas J. Pavlik
 CITY CLERK



THE CITY OF BERWYN, ILLINOIS *Building A New Berwyn*

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567
www.berwyn-il.gov

September 5, 2007

To: Mayor Michael O'Connor & City Council Members

From: Patrick Ryan, Public Works Director

Re: Approval to Bid Large Planters and Garbage Cans

Staff is seeking approval to bid out the purchase of an additional twenty seven (27) decorative iron trash containers and six (6) large iron planters for the Depot and Cermak TIF Districts.

All costs for the containers will be charged to the two TIF funds based on the number of items placed in each area.

Recommended Actions:

Staff recommends the City Council approve the bidding out of the purchase of an additional twenty seven (27) decorative iron trash containers and six (6) large iron planters for the Depot and Cermak TIF Districts.

Section K

Consent Agenda

K-1

ALDERMAN MARK WEINER
3132 Wenonah
Berwyn, Illinois 60402
MarkWeiner1@Hotmail.Com
708-484-7512
Www.ThirdWardAlderman.Com

September 5, 2007

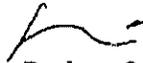
Re: Payroll

Council Members:

The current payroll has been prepared for review by the Finance Department and for approval at the September 11, 2007 Council meeting.

Payroll for 9-5-07 is \$845,285.52

Very truly yours,



Mark Weiner, Budget Committee Chairman

K-2

ALDERMAN MARK WEINER
3132 Wenonah
Berwyn, Illinois 60402
MarkWeiner1@Hotmail.Com
708-484-7512
Www.ThirdWardAlderman.Com

September 6, 2007

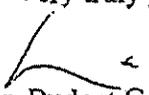
Re: Payables

Council Members:

The current payables have been prepared for review by the Finance Department and for approval at the September 11, 2007 Council meeting.

Payables: \$1,129,329.68

Very truly yours,


Mark Weiner, Budget Committee Chairman

CITY OF BERWYN
 CHECK REGISTER
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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	333888	\$1132.20 1132.20	09/05/07 80-5-00-5300	00515		0 ABLE PRINTING SERVICE A	OUTSTANDING
01	333833	\$46.55 46.55	09/04/07 23-5-00-5220	01565		0 AEC ONE STOP GROUP, INC. A	OUTSTANDING
01	333747	\$16023.40 16023.40	08/28/07 11-5-25-5250	00504		0 AETNA-U.S.HEALTHCARE A	OUTSTANDING
01	333755	\$1301.40 1301.40	08/28/07 11-2-00-2244	10016		0 AFLAC WORLDWIDE HEADQUARTERS A	OUTSTANDING
01	333824	\$803.72 539.72 264.00	09/04/07 11-5-07-5605 11-5-07-5300	01330		0 AIR ONE EQUIPMENT, INC. A A	OUTSTANDING
01	333813	\$273.81 273.81	09/04/07 11-5-07-5300	00908		0 AIRGAS NORTH CENTRAL A	OUTSTANDING
01	333758	\$15.45 15.45	08/28/07 80-4-00-4305	33951		0 ALFREDO MASCORRO A	OUTSTANDING
01	333787	\$248.12 73.68 150.27 24.17	09/04/07 11-5-20-5500 11-5-20-5500 11-5-08-5335	00038		0 ALL BRAKE AUTO CLUTCH A a A	OUTSTANDING
01	333869	\$24.17 24.17	09/05/07 11-5-08-5500	00038		0 ALL BRAKE AUTO CLUTCH A	OUTSTANDING
01	333812	\$360.66 130.38 230.28	09/04/07 23-5-00-5220 23-5-00-5210	00828		0 AMAZON CREDIT PLAN LIB BPL	OUTSTANDING
01	333826	\$2000.00 2000.00	09/04/07 11-5-29-5720	01349		0 AMERICAN DREAM GENERAL CCONSTRUCTION, INC. A	OUTSTANDING
01	333876	\$743.61 627.60 75.36 40.65	09/05/07 11-5-08-5330 11-5-06-5300 15-5-00-5210	00199		0 AMERICAN EXPRESS PD FIN OUTREACH	OUTSTANDING
01	333825	\$46.26 46.26	09/04/07 80-5-00-5310	01339		0 AMERICAN MESSAGING A	OUTSTANDING
01	333750	\$299.00 299.00	08/28/07 11-5-12-5210	01201		0 AMERICAN WATERWORKS ASSN. A	OUTSTANDING

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01	333909	\$3200.00 3200.00	09/05/07 11-5-05-5400	32030		0 ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & ROLK, P.C. A	OUTSTANDING
01	333788	\$100.00 100.00	09/04/07 11-5-08-5500	00039		0 ANDERSON BROS FORD A	OUTSTANDING
01	333862	\$1475.00 1475.00	09/04/07 11-2-00-2400	33979		0 ANGEL GARCIA A	OUTSTANDING
01	333901	\$1500.00 1500.00	09/05/07 11-5-05-5210	01253		0 ANTHONY BERTUCA A	OUTSTANDING
01	333852	\$231.54 231.54	09/04/07 23-5-00-5220	33662		0 ARROW DISTRIBUTING CO. A	OUTSTANDING
01	333743	\$5275.32 30.45 203.63 5032.05 9.19	08/28/07 11-5-06-5310 11-5-23-5310 11-5-06-5310 11-5-23-5310	00055		0 AT & T A A A A	OUTSTANDING
01	333789	\$1157.17 954.48 202.69	09/04/07 23-5-00-5310 23-5-00-5225	00055		0 AT & T QA A	OUTSTANDING
01	333870	\$5381.26 5381.26	09/05/07 11-5-08-5310	00055		0 AT & T A	OUTSTANDING
01	333815	\$18.46 18.46	09/04/07 11-5-07-5310	00974		0 AT&T MOBILITY A	OUTSTANDING
01	333840	\$310.85 310.85	09/04/07 23-5-00-5220	01838		0 BAKER & TAYLOR ENTERTAINMENT A	OUTSTANDING
01	333806	\$1697.94 1697.94	09/04/07 23-5-00-5210	00531		0 BAKER & TAYLOR, INC. A	OUTSTANDING
01	333811	\$183.63 183.63	09/04/07 23-5-00-5220	00737		0 BBC AUDIOBOOKS AMERICA A	OUTSTANDING
01	333899	\$68.75 68.75	09/05/07 11-5-16-5300	01162		0 BEN SMOGLOLSKI A	OUTSTANDING
01	333821	\$73.95 73.95	09/04/07 11-5-07-5300	01244		0 BERWYN ACE HARDWARE A	OUTSTANDING
01	333871	\$5000.00 1250.00	09/05/07 56-5-56-8100	00078		0 BERWYN DEVELOPMENT CORP CER TIF	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		1250.00	58-5-58-8110			OGDEN TIF	
		1250.00	57-5-57-8130			RR TIF	
		1250.00	55-5-55-8120			SO BER TIF	
01	333772	\$700.00 700.00	08/30/07 11-5-11-5500	00514		0 BERWYN WESTERN PLBG. & HEATING A	OUTSTANDING
01	333832	\$67.50 67.50	09/04/07 23-5-00-5220	01545		0 BLACKSTONE AUDIOBOOKS A	OUTSTANDING
01	333767	\$426460.16 426460.16	08/30/07 11-5-25-6010	00015		0 BLUE CROSS/BLUE SHIELD OF ILLINOIS A	OUTSTANDING
01	333893	\$184.00 184.00	09/05/07 11-5-11-5500	00888		0 BOB'S LAWN CARE A	OUTSTANDING
01	333776	\$465.00 465.00	08/30/07 11-5-11-5500	01256		0 BUSY-BEE BOARD-UP & EMERGENCY SERVICE .INC. A	OUTSTANDING
01	333858	\$300.00 300.00	09/04/07 23-5-00-5240	33973		0 CANTERBURY CAROLLERS A	OUTSTANDING
01	333866	\$949.30 949.30	09/04/07 23-5-00-5210	37425		0 CAPSTONE PRESS, INC. A	OUTSTANDING
01	333814	\$1770.42 1770.42	09/04/07 11-5-08-5335	00926		0 CARDINAL TRACKING, INC. A	OUTSTANDING
01	333816	\$133.90 133.90	09/04/07 23-5-00-5335	00996		0 CASE LOTS INC A	OUTSTANDING
01	333753	\$761.67 761.67	08/28/07 11-5-16-5215	01800		0 CDW GOVERNMENT, INC. A	OUTSTANDING
01	333777	\$150.63 150.63	08/30/07 11-5-16-5210	01800		0 CDW GOVERNMENT, INC. A	OUTSTANDING
01	333763	\$39.72 39.72	08/28/07 80-4-00-4305	33956		0 CHARLES BARWICK A	OUTSTANDING
01	333864	\$834.55 834.55	09/04/07 23-5-00-5210	34376		0 CHILD'S WORLD, INC A	OUTSTANDING
01	333882	\$95.00 95.00	09/05/07 11-5-08-5305	00390		0 CITADEL A	OUTSTANDING
01	333898	\$12240.00 3060.00	09/05/07 56-5-56-8100	01153		0 CLEARCHANNEL CER TIF	OUTSTANDING

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		3060.00	58-5-58-8110			OGDEN TIF	
		3060.00	57-5-57-8130			RR TIF	
		3060.00	55-5-55-8120			SO BER TIF	
01	333892	\$1379.00	09/05/07	00762		0 COLUMN OFFICE EQUIPMENT	OUTSTANDING
		137.90	15-5-00-5500			CO	
		137.90	11-5-01-5505			MO	
		137.90	11-5-02-5505			CC	
		137.90	11-5-11-5305			BLDG	
		137.90	11-5-23-5505			REC	
		137.90	80-5-00-5505			WD	
		137.90	11-5-08-5505			PD	
		137.90	11-5-07-5505			FD	
		137.90	11-5-06-5505			FIN	
		137.90	11-5-20-5505			PW	
01	333887	\$63.90	09/05/07	00478		0 COMCAST CABLE	OUTSTANDING
		63.90	11-5-08-5335			A	
01	333765	\$64.72	08/30/07	00009		0 COMM ED	OUTSTANDING
		64.72	11-5-11-5325			A	
01	333783	\$3.00	09/04/07	00009		0 COMM ED	OUTSTANDING
		3.00	11-5-07-5320			A	
01	333867	\$22777.16	09/05/07	00009		0 COMM ED	OUTSTANDING
		22777.16	79-5-00-5320			A	
01	333749	\$18180.00	08/28/07	01148		0 COMPUTER POWER SYSTEMS, INC.	OUTSTANDING
		18180.00	11-5-16-5210			A	
01	333916	\$75.00	09/05/07	33985		0 CONCORDIA LUTHERAN CHURCH	OUTSTANDING
		75.00	11-4-00-4395			A	
01	333878	\$8201.27	09/05/07	00225		0 CONSTELLATION NEW ENERGY INC.	OUTSTANDING
		8201.27	80-5-00-5320			A	
01	333790	\$10.00	09/04/07	00062		0 COOK COUNTY CLERK-DAVID ORR	OUTSTANDING
		10.00	11-5-25-5245			A	
01	333851	\$213.84	09/04/07	33441		0 COVER ONE	OUTSTANDING
		213.84	23-5-00-5335			A	
01	333863	\$50.00	09/04/07	33980		0 DAMJAN & FLORENCE VUJANOVIC	OUTSTANDING
		50.00	11-4-00-4415			A	
01	333860	\$90.00	09/04/07	33976		0 DAVE LASHWAY	OUTSTANDING
		90.00	23-5-00-5255			A	

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01	333803	\$648.00 648.00	09/04/07 23-5-00-5335	00438	0	DELL MARKETING L.P. A	OUTSTANDING
01	333800	\$42.39 42.39	09/04/07 23-5-00-5335	00388	0	DEMCO EDUCATIONAL CORP A	OUTSTANDING
01	333885	\$265.00 265.00	09/05/07 11-5-13-5111	00430	0	DOMINICK CASTALDO A	OUTSTANDING
01	333904	\$265.00 265.00	09/05/07 11-5-13-5111	01451	0	DON MILLER A	OUTSTANDING
01	333841	\$12565.00 12565.00	09/04/07 11-5-11-5400	01916	0	DON MORRIS ARCHITECTS,P.C. A	OUTSTANDING
01	333848	\$80.00 80.00	09/04/07 23-5-00-5235	32620	0	DONORS FORUM OF CHICAGO A	OUTSTANDING
01	333779	\$170.00 170.00	08/30/07 11-5-11-5500	33332	0	E.R.S.BOARD UP INC. A	OUTSTANDING
01	333911	\$1860.00 1860.00	09/05/07 11-5-08-5150	33896	0	EARL BRIGGS A	OUTSTANDING
01	333794	\$11.00 11.00	09/04/07 23-5-00-5215	00194	0	EBSCO SUBSCRIPTION SERVICE A	OUTSTANDING
01	333752	\$40.74 40.74	08/28/07 11-5-11-5500	01400	0	EXPRESS LIGHTING A	OUTSTANDING
01	333859	\$280.00 280.00	09/04/07 23-5-00-5240	33975	0	FAMILY TIME ENTERTAINMENT, INC. A	OUTSTANDING
01	333809	\$1793.85 1336.30 457.55	09/04/07 23-5-00-5335 23-5-00-5235	00588	0	FIA CARD SERVICES EQUIPT INTERNET	OUTSTANDING
01	333799	\$35.00 35.00	09/04/07 11-5-07-5500	00322	0	FOREST DOOR, INC. A	OUTSTANDING
01	333768	\$4759.64 4759.64	08/30/07 11-5-25-6012	00016	0	FORT DEARBORN LIFE INSURANCE A	OUTSTANDING
01	333874	\$7034.00 1204.31 560.00 86.00	09/05/07 55-5-55-8120 57-5-57-8130 55-5-55-8120	00167	0	FRANK NOVOTNY & ASSC. A A A	OUTSTANDING

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		70.00	57-5-57-8130			A	
		270.00	11-5-20-5210			A	
		3127.94	55-5-55-8120			A	
		1046.25	11-5-20-5210			A	
		234.50	11-5-20-5210			A	
		210.00	11-5-20-5210			A	
		225.00	58-5-58-8110			A	
01	333822	\$109.83	09/04/07	01246		0 GABRIEL SALES	OUTSTANDING
		80.00	11-5-20-5200			A	
		27.98	11-5-20-5200			A	
		1.85	11-5-08-5500			A	
01	333855	\$400.00	09/04/07	33960		0 GLOBAL COMMUNICATIONS	OUTSTANDING
		400.00	23-5-00-5240			A	
01	333856	\$350.00	09/04/07	33961		0 GREGORY LOPATKA	OUTSTANDING
		350.00	23-5-00-5240			A	
01	333817	\$500.00	09/04/07	01050		0 HALLAGAN BUSINESS MACHINES	OUTSTANDING
		500.00	23-5-00-5500			A	
01	333766	\$125.00	08/30/07	00012		0 HD SUPPLY WATERWORKS,LTD	OUTSTANDING
		125.00	80-5-00-5335			A	
01	333784	\$129.18	09/04/07	00012		0 HD SUPPLY WATERWORKS,LTD	OUTSTANDING
		129.18	80-5-00-5300			A	
01	333785	\$2595.00	09/04/07	00031		0 HERMAN C SIEVERS	OUTSTANDING
		2595.00	80-5-00-5500			A	
01	333786	\$39.44	09/04/07	00033		0 HIGHSMITH COMPANY	OUTSTANDING
		39.44	23-5-00-5335			A	
01	333795	\$100.00	09/04/07	00230		0 ILLINOIS DEPT. OF PUBLIC HEALTH	OUTSTANDING
		100.00	11-5-07-5300			A	
01	801407	\$120.00	08/30/07	01025		0 ILLINOIS DEPT.OF TRANSPORTATION	OUTSTANDING
		120.00	11-5-08-5330			A	
01	333807	\$50.00	09/04/07	00553		0 ILLINOIS HUMANITIES COUNCIL	OUTSTANDING
		50.00	23-5-00-5240			A	
01	333802	\$268.75	09/04/07	00398		0 INGRAM LIBRARY SERVICES	OUTSTANDING
		268.75	23-5-00-5210			A	
01	333845	\$59.95	09/04/07	31638		0 INTERSTATE BATTERY SYSTEM OF CENTRAL CHGO.	OUTSTANDING
		59.95	11-5-20-5200			A	

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01	333793	\$47.31 38.81 8.50	09/04/07 11-5-07-5320 11-5-07-5500	00162		0 JACK'S RENTAL INC A A	OUTSTANDING
01	333792	\$495.00 495.00	09/04/07 11-5-08-5500	00129		0 JAKE THE STRIPER A	OUTSTANDING
01	333873	\$265.00 265.00	09/05/07 11-5-13-5111	00138		0 JOEL W. CHRASKA A	OUTSTANDING
01	333853	\$5975.24 5975.24	09/04/07 11-5-07-5330	33732		0 JOHN JANATA A	OUTSTANDING
01	333895	\$2820.00 2820.00	09/05/07 80-5-00-5405	01014		0 JOHN TARULLO A	OUTSTANDING
01	333846	\$392.60 392.60	09/04/07 11-5-08-5500	32052		0 JUST TIRES A	OUTSTANDING
01	333843	\$42.00 32.00 10.00	09/04/07 11-5-11-5500 23-5-00-5500	01933		0 KDD OF ILLINOIS,LTD. A A	OUTSTANDING
01	333827	\$1810.00 1810.00	09/04/07 11-5-08-5500	01362		0 KING TRANSMISSION CO. A	OUTSTANDING
01	333742	\$3452.12 3452.12	08/28/07 11-5-29-5716	00042		0 KRONOS LEASING A	OUTSTANDING
01	333850	\$197.99 197.99	09/04/07 23-5-00-5220	33133		0 LANDMARK AUDIOBOOKS A	OUTSTANDING
01	333884	\$492.00 492.00	09/05/07 11-5-08-5305	00407		0 LITTLE VILLAGE PRINTING A	OUTSTANDING
01	333857	\$295.00 295.00	09/04/07 23-5-00-5240	33972		0 MAD SCIENCE A	OUTSTANDING
01	333775	\$123675.00 123675.00	08/30/07 51-5-07-5001	01006		0 MADISON CONSTRUCTION A	OUTSTANDING
01	333808	\$530.79 530.79	09/04/07 23-5-00-5210	00557		0 MARSHALL CAVENDISH A	OUTSTANDING
01	333903	\$265.00 265.00	09/05/07 11-5-13-5111	01450		0 MARY ESTHER HERNANDEZ A	OUTSTANDING

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01	333854	\$14.27 14.27	09/04/07 23-5-00-5240	33871		0 MARY FRANK A	OUTSTANDING
01	333839	\$256.75 256.75	09/04/07 23-5-00-5210	01834		0 MASON CREST PUBLISHERS A	OUTSTANDING
01	333917	\$1893.97 1893.97	09/05/07 11-5-05-5400	33986		0 MATTHEW W.FINKIN A	OUTSTANDING
01	333756	\$210.41 13.00 197.41	08/28/07 11-5-23-5500 11-5-23-5500	33555		0 MENARDS-CICERO A A	OUTSTANDING
01	333748	\$229.00 229.00	08/28/07 11-5-20-5500	00821		0 METRO GARAGE INC A	OUTSTANDING
01	333762	\$37.86 37.86	08/28/07 80-4-00-4305	33955		0 MICHAEL OLSON A	OUTSTANDING
01	333849	\$19.95 19.95	09/04/07 23-5-00-5220	33116		0 MICRO MARKETING, LLC A	OUTSTANDING
01	333872	\$221.00 221.00	09/05/07 11-5-13-5300	00105		0 MILTON F PERSIN A	OUTSTANDING
01	333915	\$100.00 100.00	09/05/07 11-5-05-5400	33984		0 MS.SALLY MACK A	OUTSTANDING
01	333781	\$180.00 180.00	08/30/07 11-4-00-4415	33977		0 MS.VERONICA JAIMES A	OUTSTANDING
01	333769	\$105.00 105.00	08/30/07 11-5-02-5300	00300		0 MUNICIPAL CLERKS OF ILLINOIS A	OUTSTANDING
01	333894	\$1851.00 1851.00	09/05/07 11-5-08-5500	00929		0 McDONOUGH MECHANICAL SERVICES, INC. A	OUTSTANDING
01	333797	\$779.46 279.46 500.00	09/04/07 80-5-00-5310 11-5-07-5310	00301		0 NEXTEL COMMUNICATIONS A A	OUTSTANDING
01	333897	\$265.00 265.00	09/05/07 11-5-13-5111	01084		0 NORA LAURETO A	OUTSTANDING
01	333879	\$1235.00 1235.00	09/05/07 11-5-08-5330	00265		0 NORTHEAST MULTI REGIONAL TRAINING A	OUTSTANDING
01	333908	\$75.00	09/05/07	31431		0 O'REILLY'S FLOWERS	OUTSTANDING

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		75.00	11-5-08-5300			A	
01	333875	\$23.40 23.40	09/05/07 11-5-08-5335	00195		0 OFFICE EQUIPMENT SALES A	OUTSTANDING
01	333877	\$107.84 107.84	09/05/07 11-5-11-5500	00203		0 ORKIN PEST CONTROL A	OUTSTANDING
01	333830	\$182.50 182.50	09/04/07 11-5-20-5300	01481		0 OVERDOORS OF IL A	OUTSTANDING
01	333782	\$717.11 717.11	08/30/07 11-5-07-5330	35813		0 PATRICK SHARKEY A	OUTSTANDING
01	333764	\$20.26 20.26	08/28/07 80-4-00-4305	33958		0 PAUL BERGSTRESSER A	OUTSTANDING
01	333761	\$40.06 40.06	08/28/07 80-4-00-4305	33954		0 PAUL HOLMGREN A	OUTSTANDING
01	333842	\$299.40 24.40 275.00	09/04/07 11-5-08-5500 11-5-08-5500	01924		0 PHELAN DODGE A A	OUTSTANDING
01	333868	\$37868.75 37868.75	09/05/07 79-5-00-5520	00028		0 FINNER ELECTRIC CO A	OUTSTANDING
01	333880	\$100.00 100.00	09/05/07 11-5-08-5500	00345		0 PROFESSIONAL PEST CONTROL, INC. A	OUTSTANDING
01	333834	\$132.75 60.75 72.00	09/04/07 23-5-00-5220 23-5-00-5220	01647		0 RANDOM HOUSE, INC. A A	OUTSTANDING
01	333780	\$1475.00 1475.00	08/30/07 11-2-00-2400	33974		0 RAPHAEL MORENO & MARIELA LOPEZ A	OUTSTANDING
01	333844	\$66.98 66.98	09/04/07 11-5-08-5300	30099		0 RAY O'HERRON CO. INC. A	OUTSTANDING
01	333831	\$126.53 126.53	09/04/07 11-5-21-5500	01502		0 RICMAR INDUSTRIES A	OUTSTANDING
01	333823	\$145.00 145.00	09/04/07 11-5-23-5305	01271		0 RICOH AMERICAS CORP. A	OUTSTANDING
01	333818	\$322.62 322.62	09/04/07 11-5-08-5500	01055		0 RIZZA FORD A	OUTSTANDING

CITY OF BERWYN
 CHECK REGISTER
 DATE RANGE: 08/28/07 - 09/05/07

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	333907	\$48.75 48.75	09/05/07 11-5-05-5400	01801		0 ROBBINS, SCHWARTZ, NICHOLAS, LIPTON, & TAYLOR, LTD A	OUTSTANDING
01	333912	\$203.77 203.77	09/05/07 11-2-00-2275	33943		0 ROBERT COUNTS A	OUTSTANDING
01	333754	\$338.79 338.79	08/28/07 11-5-04-5207	01810		0 ROBERT J. LOVERO A	OUTSTANDING
01	333805	\$2000.00 2000.00	09/04/07 11-5-05-5210	00470		0 ROBERT S. MOLARO & ASSOCIATES A	OUTSTANDING
01	333896	\$265.00 265.00	09/05/07 11-5-13-5111	01083		0 ROBERT W. FEJT A	OUTSTANDING
01	333746	\$246.47 156.90 89.57	08/28/07 11-5-11-5500 11-5-11-5500	00280		0 ROSCOE COMPANY A A	OUTSTANDING
01	333759	\$17.72 17.72	08/28/07 80-4-00-4305	33952		0 SANTOS DEDIOS A	OUTSTANDING
01	333919	\$276.80 276.80	09/05/07 11-5-16-5210	34561		0 SBC DATACOMM A	OUTSTANDING
01	333889	\$200.00 200.00	09/05/07 11-5-05-5400	00604		0 SCARIANO, HIMES AND PETRARCA A	OUTSTANDING
01	333791	\$133.99 133.99	09/04/07 11-5-07-5300	00101		0 SCHULTZ SUPPLY CO. INC. A	OUTSTANDING
01	333890	\$483.75 483.75	09/05/07 11-5-06-5300	00608		0 SCOT DECAL COMPANY INC A	OUTSTANDING
01	333773	\$80.00 80.00	08/30/07 11-5-08-5500	00595		0 SECRETARY OF STATE A	OUTSTANDING
01	333861	\$1475.00 1475.00	09/04/07 11-2-00-2400	33978		0 SERGIO AND NANCY MORENO A	OUTSTANDING
01	333796	\$13.02 13.02	09/04/07 11-5-20-5300	00299		0 SHERWIN WILLIAMS A	OUTSTANDING
01	333847	\$59.96 59.96	09/04/07 23-5-00-5335	32329		0 SPECIALTY STORE UNLIMITED A	OUTSTANDING
01	333905	\$730.00	09/05/07	01479		0 SPRINT	OUTSTANDING

CITY OF BERWYN
 CHECK REGISTER
 DATE RANGE: 08/28/07 - 09/05/07

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		730.00	11-5-08-5310			A	
01	333913	\$70.29 70.29	09/05/07 11-1-00-1315	33981		0 STEVE WROBEL A	OUTSTANDING
01	333771	\$34.24 34.24	08/30/07 11-5-28-5300	00471		0 SUPERIOR AWARDS A	OUTSTANDING
01	333774	\$394.96 56.42 225.68 56.44 56.42	08/30/07 11-5-06-5310 11-5-23-5310 23-5-00-5310 11-5-28-5310	00987		0 T-MOBILE COLLECTORS REC LIB CDBG	OUTSTANDING
01	333865	\$149.00 149.00	09/04/07 23-5-00-5215	34617		0 TEEN INK A	OUTSTANDING
01	333801	\$211.66 15.96 96.99 98.71	09/04/07 23-5-00-5335 11-5-20-5300 11-5-07-5300	00391		0 TELE-TRON ACE HARDWARE A A A	OUTSTANDING
01	333883	\$88.11 88.11	09/05/07 11-5-08-5335	00391		0 TELE-TRON ACE HARDWARE A	OUTSTANDING
01	333835	\$244.99 244.99	09/04/07 11-5-08-5320	01706		0 TEXOR PETROLEUM COMPANY A	OUTSTANDING
01	333804	\$220.00 220.00	09/04/07 11-5-06-5305	00456		0 THE GAZETTE A	OUTSTANDING
01	333886	\$190.00 190.00	09/05/07 11-5-16-5300	00456		0 THE GAZETTE A	OUTSTANDING
01	333819	\$96.83 96.83	09/04/07 23-5-00-5335	01134		0 THE LIBRARY STORE A	OUTSTANDING
01	333810	\$291.00 83.00 208.00	09/04/07 23-5-00-5335 11-5-23-5305	00591		0 THE SIGN EDGE A A	OUTSTANDING
01	333910	\$105.00 105.00	09/05/07 11-5-02-5300	32409		0 THOMAS J.PAVLIK A	OUTSTANDING
01	333757	\$11.05 11.05	08/28/07 80-4-00-4305	33950		0 THOMAS ZANGRILLI A	OUTSTANDING
01	333751	\$2035.00	08/28/07	01220		0 THOMPSON ELEVATOR INSPECTION SERVICE INC.	OUTSTANDING

CITY OF BERWYN
 CHECK REGISTER
 DATE RANGE: 08/28/07 - 09/05/07

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		2035.00	11-5-11-5300			A	
01	333900	\$154.00 154.00	09/05/07 11-5-11-5300	01220		0 THOMPSON ELEVATOR INSPECTION SERVICE INC. A	OUTSTANDING
01	333837	\$395.66 395.66	09/04/07 23-5-00-5210	01786		0 THOMSON GALE A	OUTSTANDING
01	333798	\$90.00 90.00	09/04/07 11-5-08-5500	00315		0 TIN STAR ELECTRONIC SERVICE, INC. A	OUTSTANDING
01	333828	\$1259.55 1259.55	09/04/07 11-5-08-5500	01364		0 TRYAD AUTOMOTIVE A	OUTSTANDING
01	333836	\$46.82 46.82	09/04/07 11-5-07-5300	01750		0 UNITED PARCEL SERVICE A	OUTSTANDING
01	333906	\$1.55 1.55	09/05/07 11-5-06-5300	01750		0 UNITED PARCEL SERVICE A	OUTSTANDING
01	333820	\$65.94 65.94	09/04/07 11-5-21-5500	01149		0 VERMEER MIDWEST/VERMEER-IL A	OUTSTANDING
01	333891	\$11.99 11.99	09/05/07 11-5-08-5300	00698		0 WALGREENS CO. A	OUTSTANDING
01	333744	\$2260.62 98.67 88.38 93.56 34.71 18.02 114.39 93.56 43.98 49.97 140.15 46.32 416.50 64.10 55.77 37.18 207.08 535.73 122.55	08/28/07 11-5-20-5300 11-5-11-5300 11-5-11-5300 11-5-06-5300 11-5-06-5300 11-5-28-5300 11-5-11-5300 11-5-06-5300 11-5-28-5300 11-5-11-5300 11-5-11-5300 11-5-20-5300 11-5-06-5300 11-5-07-5300 11-5-07-5300 11-5-07-5300 11-5-23-5300 11-5-20-5300	00069		0 WAREHOUSE DIRECT A	OUTSTANDING
01	333745		08/28/07	00069		0 UNISSUED	UNISSUED

CITY OF BERWYN
 CHECK REGISTER
 DATE RANGE: 08/28/07 - 09/05/07

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
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AMOUNT	G/L ACCT #	DESCRIPTION	INVOICE #
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01	333914	\$706.21 706.21	09/05/07 80-4-00-4305	33982	0	WARREN LINDSEY A	OUTSTANDING
01	333902	\$315916.40 315916.40	09/05/07 11-5-24-5210	01431	0	WASTE MANMAGEMENT ILLINOIS-METRO A	OUTSTANDING
01	333770	\$24.00 24.00	08/30/07 11-5-11-5500	00377	0	WATER ONE A	OUTSTANDING
01	333881	\$68.00 68.00	09/05/07 11-5-08-5335	00377	0	WATER ONE A	OUTSTANDING
01	333778	\$7940.00 7940.00	08/30/07 11-5-16-5400	31782	0	WAYNE L. BUEHRER A	OUTSTANDING
01	333829	\$2384.94 2384.94	09/04/07 11-5-07-5500	01441	0	WEIMER MACHINE A	OUTSTANDING
01	333760	\$355.18 355.18	08/28/07 80-4-00-4305	33953	0	WILLIAM DOCAUER A	OUTSTANDING
01	333918	\$16960.57 16960.57	09/05/07 11-5-25-6010	33987	0	WILLIAM THORPE A	OUTSTANDING
01	333838	\$167.45 167.45	09/04/07 23-5-00-5335	01803	0	ZEE MEDICAL, INC. A	OUTSTANDING

TOTAL # OF ISSUED CHECKS:	178	TOTAL AMOUNT:	1129329.68
TOTAL # OF VOIDED/REISSUED CHECKS:	0	TOTAL AMOUNT:	0.00
TOTAL # OF ACH CHECKS:	0	TOTAL AMOUNT:	0.00
TOTAL # OF UNISSUED CHECKS:	1		

FUND TOTALS

FUND	FUND NAME	ISSUED TOTAL	VOIDED/REISSUED TOTAL
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011	GENERAL FUND	892,084.53	0.00
015	COMMUNITY OUTREACH FUND	178.55	0.00
023	LIBRARY FUND	13,522.66	0.00
051	MISC GRANT FUND	123,675.00	0.00
055	SOUTH BERWYN CORRIDOR TIF FUND	8,728.25	0.00
056	CERMAK TIF DISTRICT	4,310.00	0.00
057	ROOSEVELT TIF FUND	4,940.00	0.00
058	OGDEN AVE. TIF DISTRICT	4,535.00	0.00
079	MOTOR FUEL TAX	60,645.91	0.00
080	WATER AND SEWER	16,709.78	0.00
		=====	=====
	TOTAL -	1,129,329.68	0.00



THE CITY OF BERWYN, ILLINOIS *Building A New Berwyn*

DANIEL J. LeBEAU, *Building Director*

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-1427

www.berwyn-il.gov

September 6, 2007

Honorable Michael A. O'Connor
Mayor of the City of Berwyn
Members of City Council

Re: Building and Local Improvement Permits

Gentlemen:

Attached hereto is the financial report of Building and Local Improvement Permits issued by the City of Berwyn for the month of August, 2007, along with a copy of Permit Statistics for this same period.

Respectfully,

Daniel LeBeau, Director
Building Department

DL:cr

Encs.

Permits Issued By The Building Department

Thursday, September 06, 2007

Between: 8/1/2007 And 8/31/2007

<u>Building</u>	Permits Issued: 9	Cost of Improvements: \$52,510.00
<u>Dumpster</u>	Permits Issued: 5	Cost of Improvements: \$0.00
<u>Electrical</u>	Permits Issued: 33	Cost of Improvements: \$26,277.95
<u>Fence</u>	Permits Issued: 27	Cost of Improvements: \$40,416.00
<u>Garage</u>	Permits Issued: 12	Cost of Improvements: \$77,021.00
<u>HVAC</u>	Permits Issued: 19	Cost of Improvements: \$65,078.00
<u>Local Improvement</u>	Permits Issued: 269	Cost of Improvements: \$875,362.35
<u>Plumbing</u>	Permits Issued: 27	Cost of Improvements: \$81,855.00
<u>Roofing</u>	Permits Issued: 74	Cost of Improvements: \$313,387.00
<u>Sign</u>	Permits Issued: 7	Cost of Improvements: \$35,876.00
	Total Permits: <u>482</u>	Total Improvements: <u>\$1,567,783.30</u>

Fees Collected

Backfill Inspection	\$220.00
Building Permit	\$840.00
Local Improvement Permit	\$13,202.52
Electrical Fees	\$780.00
Electrical Inspection	\$3,300.00
Signs	\$650.00

Permits Issued By The Building Department

Thursday, September 06, 2007

Between: 8/1/2007 And 8/31/2007

Footing Inspection	\$30.00
Framing Inspection	\$2,495.00
Inspection	\$3,025.00
Fence Fees	\$650.00
Plumbing Fees	\$650.00
Plumbing Inspection	\$2,900.00
Plumbing Inspection (Underground)	\$60.00
Post Hole Inspection	\$1,010.00
Sewer Inspection	\$30.00
HVAC Permit	\$1,970.00
HVAC Inspection	\$1,950.00
Service Charge	\$1,330.00
Insulation/Fire Stopping Inspection	\$380.00
New Water Meter	\$1,850.00
Tap Fee	\$4,000.00
Demolition Fees	\$205.00
Dumpster	\$1,100.00
Parkway Use	\$50.00
Parkway Inspection	\$30.00
Pre-Pour Inspection	\$2,385.00
Sidewalk Opening	\$75.00
Street Opening	\$150.00
Fine - Working Without Permit	\$8,400.00
Fine - (Misc)	\$1,000.00
Roof Covering Fees	\$3,785.00
Garage Permit	\$525.00
Refrigeration Fees	\$30.00
Miscellaneous Fees	\$4.00
Total Fees Collected	\$59,061.52

Report Of Building Permits Issued By The City Of Berwyn

Thursday, September 06, 2007

Between: 8/1/2007 And 8/31/2007

<i>Name and Address</i>	<i>Issued</i>	<i>Permit No.</i>	<i>Cost Of Improvements</i>	<i>Cost Of Permit</i>
Rachelle Padilla & Jennifer Ortiz 1541 S. Grove Avenue	8/3/2007	Gar-B 7023-0	\$15,400.00	\$195.00
Javier Heredia 1922 S. Scoville Avenue	8/10/2007	Bldg-B 7024-0	\$4,500.00	\$2,140.00
Krzystof Zadora 1244 S. Gunderson Avenue	8/13/2007	Gar-B 7025-0	\$6,000.00	\$445.00
David Leffel 3214 S. Maple Avenue	8/14/2007	Gar-B 7026-0	\$13,876.00	\$220.00
Jacinto Perez 7131 W. 31st Street	8/15/2007	Bldg-B 7027-0	\$12,810.00	\$450.00
M. Ortega & E. Leanos 2627 S. Clinton Avenue	8/20/2007	Bldg-B 7028-0	\$9,000.00	\$395.00
Julio Avila 1643 S. Kenilworth Avenue	8/21/2007	Gar-B 7029-0	\$12,245.00	\$220.00
Martin Viramontes 2509 S. Kenilworth Avenue	8/21/2007	Gar-B 7030-0	\$5,500.00	\$275.00
John & Barbara Stigler 3144 S. Kenilworth Avenue	8/22/2007	Bldg-B 7031-0	\$15,200.00	\$280.00
Michael G. Pileggi 2710 S. East Avenue	8/29/2007	Bldg-B 7032-0	\$11,000.00	\$460.00
Elvia Lopez 3637 S. Oak Park Avenue	8/29/2007	Gar-B 7033-0	\$13,500.00	\$220.00
Marc R. Blumberg 3419 S. Euclid Avenue	8/30/2007	Gar-B 7034-0	\$10,500.00	\$220.00
Sylvia & Nancy Nunez 1234 S. Ridgeland Avenue	8/31/2007	Bldg-R 5878-1	\$0.00	\$60.00
Alex & Elsa Esparza & Zandra Vas 1231 S. Wisconsin Avenue	8/9/2007	Gar-R 6376-1	\$0.00	\$75.00

Report Of Building Permits Issued By The City Of Berwyn

Thursday, September 06, 2007

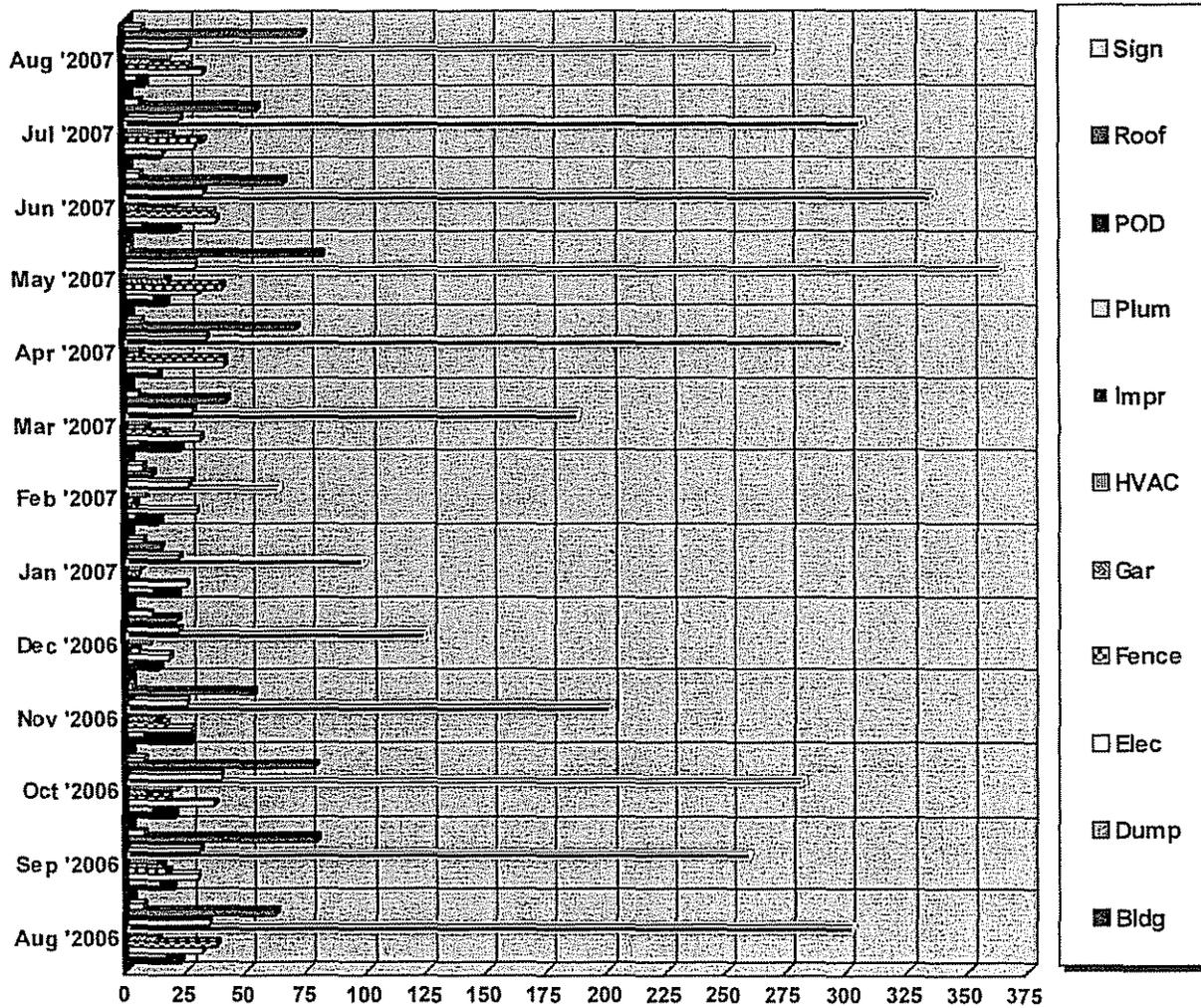
Between: 8/1/2007 And 8/31/2007

<i>Name and Address</i>	<i>Issued</i>	<i>Permit No.</i>	<i>Cost Of Improvements</i>	<i>Cost Of Permit</i>
Juan & Jessica Rendon 2829 S. Wisconsin Avenue NEW 2ND FLOOR FRAME ADDN AND DECK (RE ISSUE OF CANCELLED PERMIT RE INSTATED WITH NEW CONTRACTORS)	8/23/2007	Bldg-R 6886-1	\$0.00	\$540.00
Soledad Leyva 2331 S. Gunderson Avenue FINAL BLDG REINSPECTION.	8/8/2007	Bldg-R 6912-2	\$0.00	\$50.00
Jimmy M. Lago & Mana Lago 3146 S. Maple Avenue INSULATION REINSPECTION.	8/7/2007	Bldg-R 6976-3	\$0.00	\$50.00
Martin Cardona 1319 S. Cuyler Avenue PRE POUR RE INSPECTION - GARAGE FLOOR	8/2/2007	Gar-R 6994-2	\$0.00	\$50.00
Daniel Marquez 3846 S. Ridgeland Avenue PRE POUR RE INSPECTION OF GARAGE FLOOR	8/2/2007	Gar-R 7007-2	\$0.00	\$50.00
Daniel Marquez 3846 S. Ridgeland Avenue PRE POUR RE INSPECTION FOR GARAGE	8/28/2007	Gar-R 7007-3	\$0.00	\$50.00
Rachelle Padilla & Jennifer Ortiz 1541 S. Grove Avenue PREPOUR REINSPECTION.	8/7/2007	Gar-R 7023-1	\$0.00	\$50.00
21 Building Permits Issued During Period	Totals		<u>\$129,531.00</u>	<u>\$6,495.00</u>

Permits Issued

Thursday, September 06, 2007

For Period Beginning 8/1/2006 And Ending 8/31/2007



Permit Detail

2007	December	Impr	1		2007	June	Bldg	22
				1	2007	June	Dump	7
2007	August	Bldg	9		2007	June	Elec	38
2007	August	Dump	5		2007	June	Fence	36
2007	August	Elec	33		2007	June	Gar	5
2007	August	Fence	27		2007	June	HVAC	22
2007	August	Gar	12		2007	June	Impr	335
2007	August	HVAC	19		2007	June	Plum	33
2007	August	Impr	269		2007	June	Roof	66
2007	August	Plum	27		2007	June	Sign	6
2007	August	Roof	74					570
2007	August	Sign	7		2007	May	Bldg	17
				482	2007	May	Dump	12
2007	July	Bldg	15		2007	May	Elec	30
2007	July	Dump	16		2007	May	Fence	40
2007	July	Elec	29		2007	May	Gar	18
2007	July	Fence	33		2007	May	HVAC	17
2007	July	Gar	20		2007	May	Impr	363
2007	July	HVAC	14		2007	May	Plum	29
2007	July	Impr	306		2007	May	Roof	82
2007	July	Plum	23		2007	May	Sign	2
2007	July	POD	1					610
2007	July	Roof	55					
2007	July	Sign	6					

Permit Detail

2007	April	Bldg	14
2007	April	Dump	14
2007	April	Elec	41
2007	April	Fence	41
2007	April	Gar	6
2007	April	HVAC	6
2007	April	Impr	298
2007	April	Plum	34
2007	April	Roof	71
2007	April	Sign	6

531

2007	March	Bldg	23
2007	March	Dump	6
2007	March	Elec	31
2007	March	Fence	17
2007	March	Gar	9
2007	March	HVAC	9
2007	March	Impr	187
2007	March	Plum	28
2007	March	Roof	42
2007	March	Sign	5

357

2007	February	Bldg	14
2007	February	Dump	4
2007	February	Elec	29
2007	February	Fence	4
2007	February	Gar	3
2007	February	HVAC	8
2007	February	Impr	63
2007	February	Plum	26
2007	February	Roof	11
2007	February	Sign	7

169

2007	January	Bldg	21
2007	January	Dump	11
2007	January	Elec	25
2007	January	Fence	3
2007	January	Gar	5
2007	January	HVAC	6
2007	January	Impr	98
2007	January	Plum	22
2007	January	Roof	15
2007	January	Sign	7

213

2006	December	Bldg	14
2006	December	Dump	3
2006	December	Elec	18
2006	December	Fence	5
2006	December	Gar	2
2006	December	HVAC	10
2006	December	Impr	123
2006	December	Plum	22
2006	December	Roof	21
2006	December	Sign	10

228

2006	November	Bldg	27
2006	November	Dump	7
2006	November	Elec	27
2006	November	Fence	16
2006	November	Gar	12
2006	November	HVAC	15
2006	November	Impr	201
2006	November	Plum	25
2006	November	POD	2
2006	November	Roof	53
2006	November	Sign	2

387

2006	October	Bldg	20
2006	October	Dump	10
2006	October	Elec	36
2006	October	Fence	17
2006	October	Gar	8
2006	October	HVAC	21
2006	October	Impr	281
2006	October	Plum	39
2006	October	POD	1
2006	October	Roof	78
2006	October	Sign	7

518

2006	September	Bldg	19
2006	September	Dump	14
2006	September	Elec	29
2006	September	Fence	17
2006	September	Gar	15
2006	September	HVAC	13
2006	September	Impr	259
2006	September	Plum	30
2006	September	Roof	79
2006	September	Sign	7

482

2006	August	Bldg	22
2006	August	Dump	16
2006	August	Elec	31
2006	August	Fence	37
2006	August	Gar	13
2006	August	HVAC	13
2006	August	Impr	302
2006	August	Plum	34
2006	August	Roof	62
2006	August	Sign	6

536

Permit Detail

Total Permits Issued **5602**



THE CITY OF BERWYN, ILLINOIS

Building A New Berwyn

DEBI SUCHY, *City Collector*

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 749-8910

www.berwyn-il.gov

September 6, 2007

Honorable Mayor Michael A. O'Connor
And Members of the City Council
Berwyn City Hall
Berwyn, Illinois 60402

Dear Mayor and Council Members:

Attached please find a list of business licenses which have been issued for the month of August, 2007, by the Collector's Office. Included are storefronts, office phone use only businesses as well as out of town contractors. I am also providing a list of businesses that have applied for a license with a current status of Application Review along with businesses waiting for inspections with a status of Inspections Pending.

Respectfully,

Debi B. Suchy
City Collector
DBS/sb

BERWYN BUSINESSES - LICENSED IN AUGUST, 2007 (STOREFRONTS)

<u>NAME</u>	<u>ADDRESS</u>	<u>CORP. NAME OR OWNERS NAME</u>	<u>COMMENTS</u>
Gealto Uno	6625 W. Roosevelt Road	Giuseppe Piccione/E. Morrone	Ice Cream, Etc.(708) 749-8866
Express Food Mart	7026 W. 16th Street	Ali Saleh	Food Mart (708) 749-9355
Avon and More	6915 W. Cermak Road	Maritza Torres	Beauty Products (708) 484-9907
Mi Casa Restaurant	6832 W. Ogden Avenue	Jose Zavala	Restaurant (708) 926-7762
Mothers on a Mission	3525 S. Euclid Avenue	Mothers on a Mission, Inc.	Support Center (708) 484-3474
Campanile Construction	3208 S. Grove Avenue	Campanile Construction & Design	General Contractor (708) 749-4096
Berwyn Computer Repair	3219 S. Harlem Avenue	Moses de Lira	Computer Sales & Serv. (708) 749-9500

BERWYN BUSINESSES - LICENSED IN AUGUST, 2007 (PHONE USE ONLY)

<u>NAME</u>	<u>ADDRESS</u>	<u>CORP. NAME OR OWNERS NAME</u>	<u>COMMENTS</u>
J. V. Cleaning, Inc.	3816 S. Maple Avenue	Juan Bonilla	Janitorial Contractor (708) 795-9622
R & R Contracting	3824 S. Maple Avenue	Kenneth Rogers	General Contractor (630) 747-5938

**BUSINESS LICENSE ISSUED
AUGUST, 2007**

<u>NAME</u>	<u>ADDRESS</u>	<u>CORP. NAME OR BUSINESS OWNER</u>	<u>COMMENTS</u>
An T Q's	9 Basswood Court, Bristol, IL	Susan K. Moralas	House/Estate Sales (630) 553-7480

**BUSINESS LICENSES ISSUED FOR AUGUST, 2007
OUT OF TOWN CONTRACTORS**

Page 1

<u>NAME</u>	<u>ADDRESS</u>	<u>CORP. NAME OR OWNERS NAME</u>	<u>COMMENTS</u>
Altima Construction	4509 129th, Alsip	Altima Construction	Contractor (Carpentry)
RHS Improvements	610 Euclid, Villa Park	Ronald R. Cobb	Contractor (Carpentry)
Roman & Sons Carpentry	23W715 Burdette, Carol Stream	Roman & Sons Carpentry	Contractor (Carpentry)
Wirth Unlimited	8836 Golfview, Orland Park	Wirth Unlimited	Contractor (Carpentry)
Kingspoint	920 County Line, Bensenville	Kingspoint General Cement, Inc.	Contractor (Cement)
Romo's Cement	1000 24th, Melrose Park	Ambrocio Romo	Contractor (Cement)
I. V. Electrical	1976 Bristol, Naperville	I V Electrical Services, Inc.	Contractor (Electrical)
MSW Electrical & Constr	1233 Heather, Glenview	MSW Electrical & Constr, Inc.	Contractor (Electrical)
Classic Fence, Inc.	1822 U.S. Rte. 30, Oswege	Classic Fence, Inc.	Contractor (Fence)
Action Fire Equipment	16645 Vincennes, So. Holland	Action Fire Equipment, Inc.	Contractor (Fire Alarm)
Airoom	6825 Lincoln, Lincolnwood	Airoom, Inc.	Contractor (General)
Del Mar Builders	705 162nd, So. Holland	DJH, Inc.	Contractor (General)
Gaffney Construction	4739 Knox, Chicago	Gaffney Construction, Inc.	Contractor (General)
T L. Construction	1920 Waukegan, Glenview	T L. Construction, Inc.	Contractor (General)
Universal Restoration Serv.	390 Holbrook, Wheeling	Universal Restoration Serv., Inc.	Contractor (General)
Vega Construction	1330 61st Ct., Cicero	Bulmaro Vega	Contractor (General)
Excel Mechanical Serv.	5157 Archer, Chicago	Excel Mechanical Serv., Inc.	Contractor (HVAC)
Healthy Air, Inc.	22W381 Hillcrest, Medinah	Healthy Air, Inc.	Contractor (HVAC)
Optimal Htg & Cooling.	1767 Algonquin, Mt. Prosect	Lukasz Sroka	Contractor (HVAC)
Superior Air Comfort	6820 Joliet Rd., Countryside	Superior Air Comfort, Inc.	Contractor (HVAC)
C. Cellinski Tuckpointing	2650 Harrison, Glenview	Cezary Celinski	Contractor (Masonry)
M & J Asphalt Paving	3124 60th Ct., Cicero	M & J Asphalt Paving, Inc.	Contractor (Paving)
A. J. S. Plumbing	7216 Oakton, Niles	A. J. S. Plumbing, Inc.	Contractor (Plumbing)
Maxwell Plumbing Co.	19715 LaGrange, Mokena	Maxwell Plumbing Co., Inc.	Contractor (Plumbing)
Tai Plumbing, LLC	3523 Medill, Chicago	Tai Plumbing, LLC	Contractor (Plumbing)
Addison Construction	2121 15th Ave., Melrose Park	Addison Constr. & Roofing, Inc.	Contractor (Roofing)
Clark Roofing Co.	2700 Cermak, Broadview	Clark Roofing Co., Inc.	Contractor (Roofing)
Showalter Roofing Serv.	25W048 Ramm, Naperville	Showalter Roofing Service, Inc.	Contractor (Roofing)
Bright Signs & Awnings	603 Factory, Addison	Bright Signs & Awnings, Inc.	Contractor (Sign Hanger)
Best Windows, Inc.	1112 Cleveland, LaGrange Pk.	Best Windows, Inc.	Contractor (Window & Door)
Marstar Windows & Door	11015 Valley, Palos Hills	Marstar Windows & Doors Corp.	Contractor (Window & Door)

Application Review

Business Name	Address	Phone	ID #
3 D Collision		(708)	9922
6215 W. Ogden Avenue	Berwyn IL 60402		
Alfonzie's Sports Bar		(708)	9892
3243 S. Harlem Avenue	Berwyn IL 60402		
Alliance Residential Mortgage		(708)	9778
6211 W. Roosevelt Road	Berwyn IL 60402		
American Fidelity Mortgage Services, Inc.		(708) 788-3863	9779
7039 W. Roosevelt Road	Berwyn IL 60402		
Anaid Custom Design Wheels	#2C	(866) 254-6447	9588
6232 W. Cermak Road	Berwyn IL 60402		
ATM Zone		(312) 213-1302	9855
2421 S. Euclid Avenue	Berwyn IL 60402		
Certified Electronics, Inc.		(708) 484-7017	9463
6608 W. Cermak Road	Berwyn IL 60402		
CLT Financial Services, Inc.			9920
2827 S. Harlem Avenue	Berwyn IL 60402		
Fitz Bone Catering		(708) 788-2118	9509
6619 W. Roosevelt Road	Berwyn IL 60402		
La Media Cancha		(708)	9910
7003 W. 16th Street	Berwyn IL 60402		
Mid America Realty & Investment		(708)	9204
7040 W. Cermak Road	Berwyn IL 60402		
New Craftsman Industries		(708) 268-1381	9641
1401 S. Home Avenue	Berwyn IL 60402		
Sam's Irrigation		(815) 342-5980	9856
6544 W. 28th Street	Berwyn IL 60402		
Tahanang Pinoy Oriental Grocery Store		(708)	9554
6252 W. Ogden Avenue	Berwyn IL 60402		
The Fashion Spot		(708)	9120
6720 W. Cermak Road	Berwyn IL 60402		
Torres Cleaning Services		(708) 749-3874	9589
1915 S. East Avenue	Berwyn IL 60402		
Victor Barber Shop		(708)	9173
6301 W. 26th Street	Berwyn IL 60402		
VIPTECH Corporation		(773) 378-7777	9857
7003 W. Roosevelt Road	Berwyn IL 60402		
World Class Tattoo (2)		(708)	8720
6907 W. Cermak Road	Berwyn IL 60402		
Total Businesses			19

Inspections Pending

Business Name	Address	Phone	ID #
<i>1st American Dental</i>	<i>Suite B</i>	(708)	9776
6301 W. Cermak Road	Berwyn IL 60402		
<i>American Financial Solutions, Inc.</i>		(708) 795-8800	9398
6705 W. 26th Street	Berwyn IL 60402		
<i>Bedding Experts</i>		(708) 484-3381	9915
6800 W. Cermak Road	Berwyn IL 60402		
<i>Realty Value Consultants</i>	<i>Suite 2</i>	(708) 788-7272	9923
6915 W. Cermak Road	Berwyn IL 60402		
<i>Regency West</i>		(708)	9555
6215 W. 26th Street	Berwyn IL 60402		
<i>South Harlem Medical Center</i>	<i>Attn: Luis Santiago</i>	(708)	9816
3223 S. Harlem Avenue	Berwyn IL 60402		
<i>USA Insurance Brokers</i>		(708) 788-8822	9521
6807 W. Roosevelt Road	Berwyn IL 60402		
Total Businesses			7



THE CITY OF **BERWYN, ILLINOIS**

Building A New Berwyn

MICHAEL A. O'CONNOR, Mayor

6700 West 26th Street • Berwyn, Illinois 60402-0701

Telephone: (708) 788-2660 • Fax: (708) 788-2675 • www.berwyn-il.gov

THOMAS J. PAVLIK
CITY CLERK

Date: 8-24-07

Mayor O'Connor & Members
of the Berwyn City Council

Re: Block Party 2300 block of HIGHLAND

Honorable Mayor O'Connor & Members of Council:

Attached, please find a petition for a block party on the 2300 block
of HIGHLAND.

The residents request permission to hold the event on SEPT-15TH - 2007
with a rain date of SEPT 22ND 2007. We are aware of the ordinance
regarding block parties and will abide by all of them.

Thank you for your consideration.

Yours truly,

Contact person is: JAVIER ROSAS

Address is: 2312 S. HIGHLAND

Phone number is: _____

****PLEASE RETURN 3-4 WEEKS PRIOR TO DATE REQUESTED****

WE THE UNDERSIGNED RESIDENTS OF THE 2300 BLOCK OF Highland

DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON _____

BETWEEN THE HOURS OF 2pm AND 9pm. OUR RAIN DATE IS _____

ALL REFUSE MUST BE PLACED IN PROPER CONTAINERS FOR PICKUP BY CLEARING DISPOSAL**

NAME	ADDRESS
	2315 HIGHLAND
	2316 HIGHLAND
	2332 HIGHLAND
	2311 Highland
	2313 " "
	2312 " "
	2310 " "
	2308 " "
	2322 HIGHLAND
	2327 " "
	2325 " "
	2326 " "
	2331 " "
	2329 " "
	2328 " "
	2335 " "
	2337 " "
	2332 " "
	2334 " "
	2339 " "
	2338 " "
	2345 " "
	2343 " "

Correct +



Concordia Lutheran Church

Missouri Synod

Rev. Mark A. Matthews
Pastor

City of Berwyn
Clerks Office
6700 26th Street
Berwyn, IL 60402

September 4, 2007

RE: Street Closure

Dear Mayor and Alderman,

We Concordia Lutheran Church Berwyn are planning a church picnic for September 30, 2007. We would like your permission to close off Home Avenue from 32nd Street to approximately 3130 Home. The majority of the picnic would be held on the church grounds, we feel it would be safer for our children with the street closed. Our time frame would be roughly from 12:30pm-3:30pm.

There will be no admission cost for the picnic and we will welcome the neighbors. Thank you in advance for your consideration. If we can be of further information feel free to contact our office at (708) 484-9784.

Gods Blessings,

Claude Childers
Council member

CBC SHOE CORPORATION

DBA Craig's Shoes

6548 W. Cermak Rd

Berwyn, IL 60402

(708) 795-8181

(708) 484-0078 Fax

August 31, 2007

Mayor Michael A. O'Connor

The City of Berwyn

6700 West 26th Street

Berwyn, IL 60402

Dear Mr. Mayor,

Good fortune has continued to bless our Sidewalk Sale's ... they generate additional revenue and our customer base seems to enjoy the atmospherewith this in mind, we would like to request one additional opportunity prior to the Houby Days festivities.

As with past sidewalk events we will be courteous to our neighbors and run the sale in a professional format as well as make sure our storefront is cared for prior to the end of each business day.

Our scheduled days would be September 14 - 16, 2007.

Thank you for your consideration and we look forward to hearing for you and the Berwyn City Council as soon as time permits.

Kind Regards,

Craig Cohen

Craig's Shoes

Dwayne E. Ennis
6742 Ogden Avenue
Berwyn, Illinois 60402
708-788-8898

September 6, 2007

The Honorable Mayor Michael A. O'Connor
And Members of the Berwyn City Council
City of Berwyn
6700 West 26th Street
Berwyn, Illinois 60402

Dear Gentlemen,

The Kiwanis Club of Berwyn would like to request permission to conduct its' **ANNUAL KIWANIS PEANUT DAY** activity on September 27th, 28th, and 29th, 2007. As you are aware, the Kiwanis Club of Berwyn is a local service organization that assists community groups with financial support. Each year, our organization relies heavily on a successful **PEANUT DAY** to make this financial assistance possible. All moneys raised stays within the community.

We thank you in advance for your cooperation in having the above dates granted for our project.

Working Together to Build a Better Berwyn.

Dwayne E. Ennis
Peanut Chairman
Kiwanis Club of Berwyn