



# **City of Berwyn**

## **City Council Meeting**

**August 10, 2010**

**BERWYN CITY COUNCIL MEETING**  
**AUGUST 10, 2010**

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.

ROBERT J. LOVERO  
MAYOR

THOMAS J. PAVLIK  
CITY CLERK

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**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. REG. MTG 7/27/10-COW 7/27/10
- (D) BID OPENING - TABULATIONS
- (E) BERWYN DEVELOPMENT CORP.-BERWYN TOWNSHIP/HEALTH DISTRICT
  - 1. DEFER-BDC-LAND ACQUISITION
- (F) REPORTS AND COMMUNICATIONS FROM THE MAYOR
  - 1. PROCLAMATION-OFFICER ROBERT FOX
  - 2. POLICE PENSION BOARD APPT. J. KROC
  - 3. POLICE PENSION BOARD APPT. J. SWICIONIS
- (G) REPORTS AND COMMUNICATIONS FROM THE CITY CLERK
  - 1. DOLLARS FOR SCHOLARS SCHOLARSHIP RECIPIENTS
  - 2. APPROVAL OF CLOSED COW MINUTES OF 5/11, 5/18, 6/8, 6/22, & 7/13/2010
- (H) COMMUNICATIONS FROM ( ZONING) BOARD OF APPEALS
- (I) REPORTS AND COMMUNICATIONS FROM ALDERMEN, COMMITTEES OTHER BOARDS AND COMMISSIONS
  - 1. DEFER-POLASHEK-VACANT BUILDINGS
  - 2. DEFER-POLASHEK-ORD ADD SECTION 662.11 TO CHAPTER 662
  - 3. CHAPMAN-PROFESSIONAL SERVICES CONTRACT
  - 4. CHAPMAN-GARAGE HEIGHT VARIANCE REQUEST AT 7004 39<sup>TH</sup> ST.
  - 5. PAUL-PARKING RESTRICTION FROM 3100 OAK PK AVE TO STANLEY AVE

(J) STAFF REPORTS

1. DEFER-LAW DEPT-ORD ESTABLISH A ZONING, PLANNING & DEVELOPMENT COMMISSION & PROVIDING FOR THE HEARING OF CERTAIN MATTERS BY THE BUILDING, PLANNING & ZONING COMMITTEE
2. LAW-SETTLE CASE-#08WC27741 & #08WC27742
3. LAW-ORD AMENDING ORDINANCE TO AUTHORIZE VIDEO GAMING & IMPOSE A FEE FOR VIDEO GAMING TERMINALS
4. CITY ADMINISTRATOR-RENEWAL OF AUTO PHYSICAL DAMAGE INSURANCE
5. POLICE CHIEF-COMMENDATIONS FOR POLICE PERSONNEL
6. FINANCE DIR. CAFETERIA PLAN
7. LAW/TRAFFIC ENG.-ORD. FOR ONE-WAY STS-CLINTON & KENILWORTH AVENUES
8. LAW/TRAFFIC ENG. ORD. CONDOMINIUM PERMIT PARKING
9. PW DIR/TRAFFIC ENG.-16<sup>TH</sup> ST. REVISED ST SWEEPING & PRKNG POLICIES
10. LAW/TRAFFIC ENG-REVISIONS TO 480.05 ST. CLEANING & SNOW EMERGENCY PARKING RESTRICTIONS
11. LAW/TRAFFIC ENG-REVISIONS TO 480.07 LIMITED PARKING
12. LAW/TRAFFIC ENG-REVISIONS TO 480.08 PROHIBITED PARKING
13. LAW/TRAFFIC ENG. -REVISIONS TO 480.10 CURB LOADING ZONES
14. LAW/TRAFFIC ENG.-REVISIONS TO 484.04A SCHOOL DIST & CHURCH SPECIAL PARKING

(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 CHAIR-PAYROLL-8/4/10-\$910,945.62
2. BUDGET CHAIR-PAYABLES-8/10/10-\$1,309,551.07
3. BUILDING DIR-BUILDING PERMITS ISSUED JULY 2010
4. LICENSE & COLLECTIONS-BUSINESS LICENSES ISSUED JULY 2010
5. BLOCK PARTY-1300 WENONAH-8/21/10
6. BLOCK PARTY-1800 CLINTON-8/21/10
7. BLOCK PARTY-2200 HARVEY-8/28/10
8. BLOCK PARTY-2600 HARVEY-8/14/10
9. BLOCK PARTY-3500 HOME AVE-9/11/10
10. FAMILY GARAGE SALE-6535 STANLEY-8/14 & 8/15/10
11. YOUTH CROSSROADS-GARAGE SALE-7050 OGDEN(FORMER JACK PHELAN)
12. ST MICHAEL & ALL ANGELS' CHURCH-RUMMAGE SALE-8/7 & 8/8/10-APPROVED PRIOR TO COUNCIL
13. REPAIRER OF THE BREACH COMM. CENTER-SOLICIT FUNDS-VARIOUS CORNERS 8/23, 8/24, 8/25/10

ITEMS SUBMITTED ON TIME 39

  
THOMAS J. PAVLIK - CITY CLERK



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- A Pledge of Allegiance-Moment of Silence**
  - B. Open Forum**  
**(Topic Must Not Be on The Agenda)**



**C. Presentation of Previous  
Meeting Minutes for Approval**

0-1

**ROBERT J. LOVERO  
MAYOR**

**THOMAS J. PAVLIK  
CITY CLERK**

**MINUTES  
BERWYN CITY COUNCIL  
JULY 27, 2010**

1. The regular meeting of the Berwyn City Council was called to order by Mayor Lovero at 8:00 p.m. Upon the call of the roll, the following responded presented: Chapman, Paul, Polashek, Avila, Laureto. Absent: Boyajian, Skryd, Santoy. Thereafter, Avila made a motion, seconded by Polashek, to excuse Aldermen Boyajian, Skryd, and Santoy. The motion carried by a voice vote.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the deceased Baltazar Robinson, grandfather of Police Detective, Joseph Robinson, the decease Georgia Zouvas, former Berwyn employee, and for those who suffered the perils of the recent storms and for all those who assisted in their aid  
Alderman Santoy present at 8:01 p.m.
3. Chapman made a motion, seconded by Avila, to include items F-4 and F-5 to the agenda and to remove item F-2 from the agenda. The motion carried by a voice vote.
4. The Open Forum portion of the meeting was announced. The Mayor recognized Berwyn Historical Society President, David Olson, who informed the Council of the dedication of 3 Nebraska State Historical Markers in Milligan, Nebraska, Saturday, August 14, 2010, one of which is honoring a WWII veteran, former Berwyn resident, Sergeant William G. Williams, who was killed in a military plane crash in Nebraska in 1943. The Mayor then recognized numerous Berwyn residents who suffered storm related flood damage due to the recent storms of June 23<sup>rd</sup>, July 23<sup>rd</sup> and July 24<sup>th</sup>. Lengthy discussion ensued and the Mayor allowed each resident to speak regarding their flooding problems. The Mayor recognized Berwyn resident and licensed plumber, Jim Rinehart, who addressed many concerns regarding the Water Reclamation District, the Chicago River Locks, the Berwyn Sewer System, and various methods that each resident may choose for flood control in their own personal homes. The Mayor also recognized Public Works Director, Robert Schiller, who explained that assessment of City areas, which sustained the most damage, will be made including the 31<sup>st</sup> Street area, near Proksa Park, which seemed to be damaged the most. The Mayor then stated that there will be two Proclamations on the Council agenda this evening to declare the City of

Berwyn, a Disaster Area, and that the City is taking a multi step process through the Cook County Department of Homeland Security and Emergency Management and possibly the Federal Emergency Management Agency (FEMA) to attempt to recover monies resulting from property damage associated with one or both of these storms. The Mayor then recognized Berwyn Police Department, Lieutenant Sassetti, who handed out informational packets and data collection questionnaires, and stated that each resident affected by the storms, should document their losses. The Mayor recognized, Berwyn Firefighter, Derek Majares, who announced the 2<sup>nd</sup> Annual "Lets turn 2 Scholars" Softball Tournament to be held Saturday, August 7, 2010 at 9:00 a.m. at Janura Park, with proceeds going to toward college scholarships for Morton West High School students. The Mayor then thanked the Public Works Department, the Fire Department, and Berwyn Police Department for their services and efforts made during the floods and the aftermath, and the assistance with the FEMA Federal Disaster application. The Mayor also announced "Take Back the Streets" rally in conjunction with National Night Out, Wednesday, July 28, 2010 at Proksa Park from 6:00 p.m. to 8:00 p.m. and reminded all of National Night Out on Tuesday, August 3, 2010 at Morton West High School parking lot beginning at 5:00 p.m., with the culmination of fire works at 9:00 p.m. on the football field. The Mayor also noted the letter from the Commander of Commodore Barry Post on Roosevelt Road, thanking and recognizing the efforts of Alderman Nora Laureto and several other volunteers for their decoration of the Veterans Memorial.

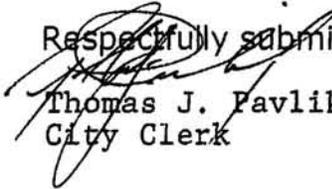
5. The minutes of the regular City Council meeting and the Committee of the Whole held on July 13, 2010 were presented. Thereafter, Chapman made a motion, seconded by Avila, to concur and approve as submitted. The motion carried by a voice vote.
6. The Berwyn Development Corporation submitted an ordinance regarding Land Acquisition. Thereafter, Chapman made a motion, seconded by Polashek, to defer for two weeks. The motion carried by a voice vote.
7. The Mayor submitted a Proclamation regarding National Night Out 2010 on October 3, 2010. Thereafter, Avila made a motion, seconded by Polashek, to concur and adopt the Resolution as presented. The motion carried by a voice vote.
8. The Mayor submitted a Proclamation regarding a Declaration of Disaster on June 23, 2010. Thereafter, Chapman made a motion, seconded by Polashek, to concur and adopt as presented. The motion carried by a voice vote. Thereafter, Chapman made a motion, seconded by Polashek, to

amend the motion to include filing the Proclamation with the County Clerk. The motion carried by a unanimous roll call vote.

9. The Mayor submitted a Proclamation regarding the Declaration of Disaster on July 23, 2010 and July 24, 2010. Thereafter, Chapman made a motion, seconded by Avila, to concur and adopt the Proclamation as presented and to file with the County Clerk. The motion carried by a unanimous roll call vote.
10. Alderman Polashek submitted an ordinance regarding Vacant Buildings. Thereafter, Polashek made a motion, seconded by Chapman, to defer for two weeks. The motion carried by a voice vote.
11. Alderman Polashek submitted an ordinance adding Section 662.11 to Chapter 662, to authorize the abatement of property used for Gang Activity and Crimes within the City of Berwyn. Thereafter, Polashek made a motion, seconded by Chapman, to defer for two weeks. The motion carried by a voice vote.
12. Alderman Polashek submitted a Proclamation regarding Sister City International; The City of Berwyn Illinois, USA, Partnership with Hardec Kralove, Czech Republic. Thereafter, Polashek made a motion, seconded by Santoy, to concur and adopt the Proclamation as presented. The motion carried by a unanimous roll call vote.
13. Alderman Laureto submitted a communication regarding Parking/Commodore Barry Post #256. Thereafter, Laureto made a motion, seconded by Avila, to refer the matter to the Parking and Traffic Committee and the Traffic Engineer. The motion carried by a voice vote.
14. The Library Director submitted a communication requesting the replacement of AV Librarian Assistant I, replacement of AV, RA, and Periodicals Pages. Thereafter, Chapman made a motion, seconded by Polashek, to concur, waive the hiring freeze and approve as submitted. He motion carried by a unanimous roll call vote.
15. The City Engineer submitted a communication regarding the 2009 C.D.B.G. Sidewalk Replacement, Sidewalk and Curb and Gutter Repairs. Thereafter, Chapman made a motion, seconded by Avila, to concur and approve in an amount not to exceed \$5,421.57. The motion carried by a unanimous roll call vote.
16. The Traffic Engineer submitted a communication regarding One-way Streets, Clinton and Kenilworth Avenues from Ogden Avenue to 34<sup>th</sup> Street.

Thereafter, Chapman made a motion, seconded by Avila, to concur and approve as submitted. The motion carried by a unanimous roll call vote.

17. The Law Department submitted an ordinance Establishing a Zoning, Planning and Development Commission and providing for the Hearing of certain matters by the Building, Planning and Zoning Aldermanic Committee. Thereafter, Avila made a motion, seconded by Polashek, to defer for two weeks. The motion carried by a voice vote.
18. Consent Agenda-K-1 through K-20 were submitted.
  - K-1-Budget Chair, payroll for July 21, 2010, \$923,420.05
  - K-2-Budget Chair, payables for July 27, 2010, \$1,226,541.73
  - K-3-Polashek, handicap sign, C. Barranco, 2104 Scoville, **Approve**
  - K-4-Polashek, handicap sign, M. Francia, 2123 Elmwood, **Deny**
  - K-5-Building Director, building permits issued in June, 2010
  - K-6-Knights of Columbus,#4200-Tootsie Roll Sale, Sept. 17, 18, & 19, 2010
  - K-7-Girl Scout of Greater Chicago & NW Indiana-Product Sale-October 8 through October 23, 2010, Annual Cookie Sale, January 8, 2011 through January 23, 2011.
  - K-8-Block party-1300 Cuyler-August 14, 2010
  - K-9-Block party-3200 Wisconsin-August 28, 2010
  - K-10-Block party-1400 Elmwood-August 7, 2010
  - K-11-Block party-2600 Clinton-August 7, 2010
  - K-12-Block party-6800 W. 29<sup>th</sup> Place-August 28, 2010
  - K-13-Block party-3800 Maple-August 14, 2010
  - K-14-Block party-6900 W. 30<sup>th</sup> Place-August 21, 2010
  - K-15-Block party-1400 Cuyler, September 11, 2010
  - K-16-Becker Center on Chicago Price Theory, Survey-August 7<sup>th</sup> & 8<sup>th</sup> 2010
  - K-17-Commodore Barry Post 256-annual picnic, August 21, 2010
  - K-18-Cabin Fever-Street fair/block party-32<sup>nd</sup> St. to Stanley-August 20, 2010
  - K-19-Berwyn Historical Society-Bungalow & More Walk-September 26, 2010
  - K-20-Sunny Days Kids Academy-family picnic-August 28, 2010Thereafter, Avila made a motion, seconded by Polashek, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.
19. There being no further business to come before the meeting, same was, after a motion by Laureto, seconded by Chapman, to adjourn at the hour of 9:15 p.m. The motion carried by a voice vote.

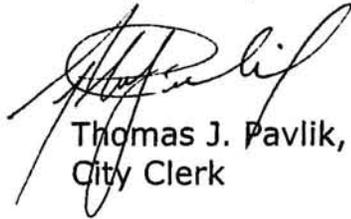
Respectfully submitted,  
  
Thomas J. Favlik, CMC  
City Clerk

COMMITTEE OF THE WHOLE  
JULY 27, 2010

1. The Committee of the Whole was called to order by Mayor Lovero at 6:17 p.m. Upon the call of the roll, the following responded present: Chapman, Paul, Polashek, Avila, Laureto. Absent: Boyajian, Skryd, Santoy.
2. Avila made a motion, seconded by Chapman, to excuse Aldermen Boyajian, Skryd, Santoy. The motion carried.
3. Clean City Commission-Final Report-The Mayor recognized Dario Solano and Regina Mendicino who presented the recommendations to the City Council and reviewed same, see attached and stated that the commission has recessed until the City Council see fit for the commission to reconvene. The Mayor questioned the reasoning and the mission of the commission and its potential function, which included recruiting volunteers to help keep the city clean. The Mayor accepted the report and will take the matter under advisement.
4. Clerk Pavlik stated that the Emergency addendum to the agenda, F-3, F-4, and F-5, would need a motion at the beginning of the Council meeting, to be included on the agenda. Pavlik clarified that F-2 and F-3 may be withdrawn and that F-4, Proclamation declaring a disaster for June 23, 2010 and F-5, Proclamation declaring a disaster for July 23<sup>rd</sup> and July 24<sup>th</sup> 2010, needed action to be taken.  
Alderman Paul questioned the procedure for the FEMA Funds and the questionnaire for the residents. The Mayor explained that the questionnaire is just to document the incident and damage to the individual residence and that the residents did not need to supply a dollar amount for the damage at this time. The Mayor stated that the questionnaires and informational packets are being coordinated by the Berwyn Police Department and are available at the Police Department, City Hall, and the City's website and applications need to be returned to the Police Department or City Hall by Friday, August 6, 2010. The Proclamations need to be submitted to the State by August 4, 2010. City Administrator, Brian Pabst also explained that the questionnaires were linked to School Districts website and that post cards will be sent out to all Berwyn residents informing them of the procedures. Lieutenant Sassetti of the Berwyn Police Department had copies of the press release regarding same available to the public.

5. The Mayor asked for a motion to go into closed for pending litigation, contract negotiations, land acquisition, and review of closed Committee of the Whole minutes. Thereafter, Avila made a motion, seconded by Chapman, to close the Committee of the Whole at 6:35 p.m. The motion carried by a voice vote.
6. The Mayor asked for a motion to open and to adjourn the Committee of the Whole. Thereafter, Chapman made a motion, seconded by Avila, to reopen the Committee of the Whole and adjourn at 7:57 p.m. The motion carried.

Respectfully submitted,



Thomas J. Pavlik, CMC  
City Clerk



## **D. Bid Openings Tabulations**



**E. Berwyn Development Corp. –  
Berwyn Township/Health District**

Handwritten initials or mark in the top left corner.

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 08/10/10

**Deferred Communication**

Agenda Item F-1 is a Deferred Communication from C C Meeting dated 07/27/10 Item #6

FROM BERWYN DEVELOPMENT CORPORATION  
Re: LAND ACQUISITION



berwyn development  
CORPORATION

ITEM NO. 6  
DATE JUL 27 2010  
DISPOSITION \_\_\_\_\_  
Defer

July 27, 2010

**Mayor Robert Lovero  
Members of the Berwyn City Council  
Berwyn City Hall  
6700 West 26<sup>th</sup> Street  
Berwyn, IL 60402**

**Re: Land Acquisition**

Dear Mayor and City Council,

Please see the attached resolution as drafted by special legal counsel for the City to acquire 6846 Windsor Avenue as discussed in the closed committee of whole on July 13, 2010 and July 27, 2010. The funding source for the project is the City's Depot District TIF fund which has the necessary funding to cover the costs of the project.

Respectfully submitted for your consideration,

Anthony W. Griffin

**CITY OF BERWYN, ILLINOIS**

**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY,  
ILLINOIS, AUTHORIZING THE ACQUISITION OF VACANT PROPERTY  
COMMONLY KNOWN AS "THE OSWALD PROPERTY",  
6846 WINDSOR, BERWYN, ILLINOIS  
FOR REDEVELOPMENT PURPOSES WITHIN THE SOUTH  
BERWYN CORRIDOR TAX INCREMENT FINANCING DISTRICT**

WHEREAS, the Statutes of the State of Illinois to such matters pertaining provide that municipalities shall have the power to acquire lands and other property, real or personal, or rights or interest therein and grant or acquire licenses, easements and options with respect thereto, within designated redevelopment project areas for the purposes of promoting and protecting the health, safety, morals and welfare of the public and eradicating blighted conditions and instituting conservation measure and undertaking redevelopment of such area and removing and alleviating adverse conditions, encouraging private investment and restoring and enhancing the tax base of the taxing districts in such areas by the development or redevelopment of project areas; and

WHEREAS, the City Council has heretofore determined that in order to promote and protect the health, safety, morals and welfare of the public, blighting conditions in the City need to be eradicated and redevelopment of the City undertaken in order to remove and alleviate adverse conditions and encourage private investment, and restore and enhance the tax base of the City; and

WHEREAS, on the 28<sup>th</sup> day of January, 1997, the City adopted Ordinance No. 97-05 approving a tax increment redevelopment plan and redevelopment project for the South Berwyn Corridor Tax Increment Redevelopment Project Area; and

WHEREAS, on the 28<sup>th</sup> day of January, 1997, the City adopted Ordinance No. 97-06 designating the South Berwyn Corridor Redevelopment Project Area of the City a redevelopment project area pursuant to the Tax Increment Allocation Redevelopment Act; and

WHEREAS, on the 28<sup>th</sup> day of January, 1997, the City adopted Ordinance NO. 97-07 adopting tax increment allocation financing for the South Berwyn Corridor Redevelopment Project Area; and

WHEREAS, the real estate described in **Exhibit A**, attached hereto and made a part hereof (hereinafter referred to as the "Subject Property") is within the Redevelopment Project Area defined in Ordinance No. 97-06 and included in the South Berwyn Corridor Tax Increment Financing Redevelopment Project and Plan (hereinafter referred to as "Project and Plan").

WHEREAS, the Project and Plan reviewed by the City Council concludes that the Subject Property possesses factors which make the Subject Property and surrounding area a "blighted" area, as defined in the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 et seq., as amended ("TIF Act"), and the City Council has reviewed the information concerning such factors at the public hearing and has reviewed other studies and is generally informed of the conditions in the proposed area which cause the Subject Property and surrounding area to be a "conservation area" as defined in the TIF Act, 65, 5/11-74.4-3(b) and the Project and Plan concludes there is a reasonable presence and distribution of the following factors listed in the TIF Act, including: age, obsolescence, deterioration, structures below minimum code standards, excessive vacancies, excessive land coverage, deleterious land-use or layout, depreciation of physical maintenance and lack of community planning; and

WHEREAS, the City Council deems it advisable and in the public interest of promoting and protecting the health, safety, morals and welfare of the public within the City of Berwyn to acquire the Subject Property for the purposes of eradicating blighted conditions, instituting conservation measures, undertaking redevelopment of the Subject Property and surrounding area pursuant to the Project and Plan, removing and alleviating adverse conditions, encouraging private investment and restoring and enhancing the tax base of the taxing districts; and

WHEREAS, the Subject Property has been vacant since the building, which once housed a dry cleaners, was destroyed approximately 20 years ago; and

WHEREAS, in 1998, with the consent of the owner of the Subject Property, the Illinois Environmental Protection Agency, Bureau of Land, Federal Sites Remediation Section, Site Assessment Unit ("IEPA") conducted field investigations, including an electro magnetic survey, and the drilling, collecting and testing of soil and groundwater samples to determine if the site is contaminated; and

WHEREAS, based upon the IEPA's field investigation, it was believed as follows: (a) as many as four (4) underground storage tanks may exist

beneath the surface; (b) the soil samples indicate there is evidence of contamination above IEPA allowable levels for Methylene Chloride, Tetrachloroethene and Arsenic; and (c) the groundwater samples indicate elevated levels of Tetrachloroethene; and

WHEREAS, in accordance with the Property Owners Disclosure Requirement imposed on units of local government set forth in 50 ILCS 105/3.1, the City has reviewed the county property records, including the records of the Tax Assessor's Office, identifying the record title holder of the Subject Property to be North Star Trust Company, as successor Trustee to York State Bank & Trust Company, as Trustee under Trust Number 1145, and Yvonne Oswald, beneficial owner with the power of direction("Owners"); and

WHEREAS, the Owners recently completed extensive environmental remediation work on the Subject Property, including the removal of the underground storage tanks; and

WHEREAS, the Owners have applied to the Illinois Environmental Protection Agency ("IEPA") for a No Further Remediation Letter ("NFR Letter"), based upon approval by IEPA of a report submitted by the Owner pursuant to Section 734.210(h)(3) of the Underground Storage Tank ("UST") Regulation, 35 IAC 734.210(h)(3), for incident number 20100614, all pursuant to Section 734.705(a) of the Illinois Underground Storage Tank Regulations , 35 IAC 734.705(a)

WHEREAS, the City acting through the Mayor and the City Staff have negotiated a contract for the purchase of the Subject Property contingent upon the issuance of a NFR Letter by the IEPA, and also for a temporary lease of the property;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Berwyn, Cook County, Illinois as follows:

**SECTION 1:**

The City Council hereby finds that in order to achieve the objectives as stated herein, it is necessary and desirable the City acquire fee simple title to the Subject Property.

**SECTION 2:**

The Corporate Authorities of the City of Berwyn hereby approve the Purchase and Sale Agreement for the purchase and lease of the Subject Property to be in substantially the same form as Exhibit B attached hereto, subject to any modifications and final approval by the City Attorney as to form.

**SECTION 3:**

The Mayor and City Clerk, or their designees, are hereby authorized and directed to execute and deliver any and all other instruments and documents that are necessary and proper to fulfill the City's obligations under the Purchase and Sale Agreement.

**SECTION 4:**

That this Resolution shall be in full force and effect from and after its passage and approval according to the law.

PASSED this 27<sup>th</sup> day of July, 2010.

\_\_\_\_\_  
Thomas J. Pavlik, City Clerk

Voting Aye: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Voting Nay: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Absent: \_\_\_\_\_  
\_\_\_\_\_

Abstain: \_\_\_\_\_  
\_\_\_\_\_

Deposited in my office this 27<sup>th</sup> day of July, 2010.

\_\_\_\_\_

Thomas J.

APPROVED this 27<sup>th</sup> day of July, 2010

\_\_\_\_\_  
Robert J. Lovero, Mayor

## **EXHIBIT A**

STREET ADDRESS: 6846 Windsor Avenue  
CITY: Berwyn  
TAX NUMBER: 16-31-126-001-000

### **LEGAL DESCRIPTION:**

LOT 10 IN BLOCK 9 IN BERWYN, A SUBDIVISION OF PART OF  
SECTION 31, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE  
THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS.

## **Exhibit B**



**F. Reports and Communications  
From The Mayor**

The City of Berwyn



Robert J. Lovero  
Mayor

A Century of Progress with Pride

*Proclamation*  
081010-1

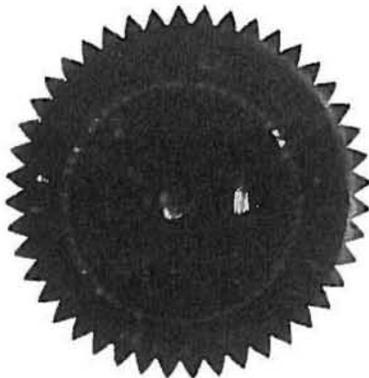
*WHEREAS*, Officer Robert Fox has served dutifully on Berwyn's police force since October of 2006; and

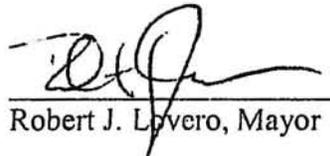
*WHEREAS*, during his tenure, Officer Fox has garnered the respect of the citizens of Berwyn by serving with professionalism and an obvious dedication to the job and community; and

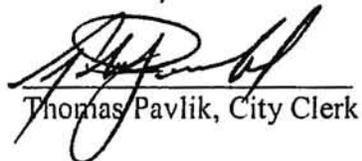
*WHEREAS*, Officer Fox was instrumental in the arrest of a child predator on June 22<sup>nd</sup> of 2010, and because of his keen skills of observation was able to prevent the abduction of two young Berwyn girls;

*NOW, THEREFORE, BE IT RESOLVED that I, Robert J. Lovero, Mayor of Berwyn*, proclaim August 10, 2010 as **Robert Fox Day** in Berwyn and together with the citizens of Berwyn thank Officer Robert Fox for his dedication and loyalty to our community.

Entered upon the records of the City of Berwyn this 10th day of August, 2010.



  
Robert J. Lovero, Mayor

  
Thomas Pavlik, City Clerk

The City of Berwyn



Robert J. Lovero  
Mayor

A Century of Progress with Pride

August 10, 2010

Members of the Berwyn City Council

Re: Police Pension Board

Council Members:

Presently, City Treasurer Joseph M. Kroc is an "Ex-Officio" member of the Police Pension Board.

I am requesting your concurrence of my appointment of Mr. Kroc as a voting member of this Board.

Mr. Kroc's appointment shall expire on May 11, 2011.

Thank you for your consideration in this matter.

Respectfully,



Robert J. Lovero  
Mayor

F-3  
The City of Berwyn



Robert J. Lovero  
Mayor

A Century of Progress with Pride

August 10, 2010

Members of the Berwyn City Council

Re: Police Pension Board

Council Members:

I am requesting your concurrence of my appointment of Mr. James Swicionis as a member of the Police Pension Board.

Mr. Swicionis will be replacing Mr. Larry Cullen, and his appointment shall expire on May 11, 2011.

Thank you for your consideration in this matter.

Respectfully,

Robert J. Lovero  
Mayor



**G. Reports and Communication From  
The City Clerk**

G-1

**Robert J. Lovero**  
Mayor



**Thomas J. Pavlik**  
City Clerk

**The City of Berwyn**  
A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
www.berwyn-il.gov

August 5, 2010

To: Mayor and Members of City Council

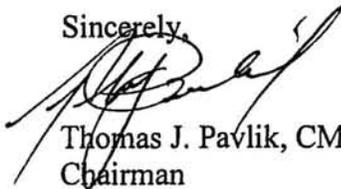
From: Tom Pavlik, City Clerk and Chairman Berwyn \$ 4 Scholars

Re: Dollars for Scholars Scholarship Recipients

Ladies and Gentlemen,

It is with great pleasure to announce this year's recipients of the Berwyn Dollars for Scholars 2010 Fall Scholarships. Tess Abbasi, a graduate Nazareth Academy, who will be attending The Art Institute of Chicago. Jonathan Harper, a St. Joseph High School graduate, who will be attending Loyola University, Chicago. Katryna Ciurlionis, a Trinity High School graduate, who will be attending Syracuse University, New York this fall. Michael Gragnani, a fourth year student at Elmhurst College and a 2007 Nazareth Academy graduate. Each will be receiving a \$750 scholarship which will be directly applied to their college tuition. These students have worked extremely hard to further their education and at the same time have shown a strong commitment to our community. On behalf of the Dollar for Scholars Committee, Joe Kroc, Jim Swicionis, Anthony Laureto, Jeffrey Janda, Mario Lavorato, Ricardo Sanchez and myself Tom Pavlik, I would like to congratulate these deserving young individuals. As always, a special thanks go out to the BDC Depot District Special Events Committee, Berwyn Township and Comcast for their continued support. Also, I would like to thank and welcome our newest sponsors Berwyn Kiwanis Club and Berwyn Jaycees.

Sincerely,



Thomas J. Pavlik, CMC  
Chairman

6-2

Robert J. Lovero  
Mayor



Thomas J. Pavlik  
City Clerk

**The City of Berwyn**  
**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
www.berwyn-il.gov

Date: August 6, 2010

To: Mayor and City Council

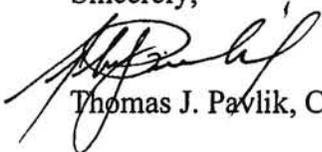
From: Tom Pavlik, City Clerk

Re: Approval of Closed COW Minutes of 5/11, 18, 6/8, 22, 7/13, 2010

Ladies and Gentleman;

I request your concurrence on approving the Closed Committee of the Whole Minutes of May 11<sup>th</sup> and 25<sup>th</sup>, June 8<sup>th</sup> and 25<sup>th</sup>, July 13<sup>th</sup>, 2010 as reviewed in Closed Session on July 27<sup>th</sup>, 2010.

Sincerely,

  
Thomas J. Pavlik, CMC



**H. Communications From (Zoning)  
Board of Appeals**



**I. Reports and Communications From  
Aldermen, Committees other Boards  
and Commissions**

I-1

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 08/10/10

**Deferred Communication**

Agenda Item I-1 is a Deferred Communication from C C Meeting dated 07/27/10 Item #10

FROM ALDERMAN POLASHEK

Re: VACANT BUILDINGS

\_\_\_\_\_

**The City of Berwyn**



**Theodore J. Polashek**

**6<sup>th</sup> Ward Alderman**

*II*

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6406 Fax: (708) 726-9675  
www.berwyn-il.gov

ITEM NO. 10  
DATE JUL 27 2010

DISPOSITION  
Refer

July 27, 2010

Hon. Robert J. Lovero  
Aldermen of the Berwyn City Council  
6700 W. 26<sup>th</sup> Street  
Berwyn, IL 60402

Re: Vacant Buildings

Ladies and Gentlemen:

I am submitting the attached Ordinance for your consideration. When adopted, this legislation will address the problems which our City faces with improperly maintained vacant buildings.

It is my recommendation along with that of the Law Department that this Ordinance be adopted.

Respectfully,

Theodore J. Polashek  
Alderman 6<sup>th</sup> Ward

**THE CITY OF BERWYN**  
THE CITY OF BERWYN, ILLINOIS

---

**ORDINANCE**  
NUMBER \_\_\_\_\_

---

**AN ORDINANCE ADDING CHAPTER 1480 TO THE CODIFIED  
ORDINANCES OF BERWYN REGARDING VACANT BUILDINGS  
LOCATED WITHIN THE CITY OF BERWYN, COUNTY OF COOK,  
STATE OF ILLINOIS**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, Clerk**  
**JOSEPH M. KROC, Treasurer**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**

**Aldermen**

---

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE ADDING CHAPTER 1480 TO THE CODIFIED ORDINANCES OF BERWYN REGARDING VACANT BUILDINGS LOCATED WITHIN THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS.**

**WHEREAS**, the City of Berwyn (the "City") is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970 and, as such, may exercise various powers and perform numerous functions pertaining to its government and affairs in any manner not otherwise prohibited by law; and

**WHEREAS**, vacant buildings often become crime magnets, fire hazards or dumping grounds and can increase blight and decrease investment within a community; and

**WHEREAS**, local governments spend a disproportionate amount of time and funds securing vacant buildings against criminal activity and cleaning and caring for vacant buildings to prevent a build up of trash, illegal dumping and rodent infestation; and

**WHEREAS**, the Mayor and the City Council (collectively, the "Corporate Authorities") recognize the impact that foreclosed and abandoned properties have on neighboring properties and desire to help City residents combat the negative consequences of the same; and

**WHEREAS**, Section 11-31-1 of the Illinois Municipal Code (65 ILCS 5/11-31-1) provides that the corporate authorities of each municipality may, among other things, demolish, repair or enclose or cause the demolition, repair or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the municipality; and

**WHEREAS**, Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes the corporate authorities of each municipality to define, prevent and abate nuisances; and

**WHEREAS**, currently, the Codified Ordinances of Berwyn (the "Code") states that the Director of Neighborhood Affairs shall order vacant buildings to be boarded up, but fails to address other consequences of vacant property; and

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the City and its residents to establish regulations to secure vacant buildings located within the corporate limits of the City; and

**WHEREAS**, to ensure that vacant buildings are properly secured and to ensure that nuisances related to vacant buildings are efficiently and economically abated, the Corporate Authorities have determined that it is necessary for the public health, safety and welfare to amend the Code to establish regulations to secure vacant buildings; and

**WHEREAS**, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the City and its residents to add Chapter 1480 to the Code as set forth below.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the City Council of the City of Berwyn, County of Cook, State of Illinois, in the exercise of the City's home rule powers, as follows:

**Section 1.** The statements set forth in the preambles to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

**Section 2.** Chapter 1480 is hereby added to the Code, which shall read as follows:

**CHAPTER 1480: VACANT BUILDINGS**

**Section 3.** Chapter 1480 of the Code is hereby amended by adding Section 1480.01, which shall read as follows:

**§1480.01 DEFINITIONS.**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BUILDING.** Any structure occupied or intended for supporting or sheltering any occupancy.

**OPEN.** A building that has any door, window or wall missing or unsecured, or has any other opening so as to allow entry by a human being.

**OWNER.** Any person, agent, operator, firm, corporation or entity; (a) having a legal or equitable interest in the property; (b) recorded in the official records of the state, county or City as holding title to the property; or (c) otherwise having control of the property. The term Owner shall include the guardian of an estate of any such person and the executor or administrator of an estate of such person if ordered to take possession of real property by a court of competent jurisdiction.

**PERSON.** A corporation, partnership or other entity as well as an individual.

**PREMISES.** A lot, plot or parcel of land, including any structure or Building located thereon.

**VACANT.** A building: (1) that is lacking habitual presence of human beings who have a legal right to be on the premises; (2) at which substantially all lawful business or construction operations or residential occupancy has ceased; or (3) which is substantially devoid of content. In determining whether a building is vacant, it is relevant to consider, among other factors, the percentage of the overall square footage of the building or floor to the occupied space, the condition and value of any items in the building and the presence of rental or for sale signs on the property; provided that a residential property shall not be deemed vacant if it has been used as a residence by a person entitled to possession for a period of at least three (3) months within the previous nine (9) months and a person entitled to possession intends to resume residing at the property; and further provided that multi-family residential property containing ten (10) or more dwelling units shall be considered vacant when fifty percent (50%) or more of the dwelling units are unoccupied.

**Section 4.** Chapter 1480 of the Code is hereby amended by adding Section 1480.02, which shall read as follows:

**§ 1480.02 VACANT BUILDINGS – OWNER REQUIRED TO ACT – ENFORCEMENT AUTHORITY.**

**(A) Registration; Agent.**

- (1) The owner of any building that has become vacant shall within thirty (30) calendar days after the building becomes vacant or within thirty (30) calendar days after assuming ownership of the building, whichever is later, file a registration statement for each such building with the Building Department on forms provided by the Building Department for such purposes. The registration shall remain valid for six (6) months from the date of registration. The owner shall be required to renew the registration for successive six (6) month periods as long as the building remains vacant. The owner shall notify the Building Department, within twenty (20) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Building Department for such purposes. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative adjudication proceeding or court proceeding instituted by the City against the owner or owners of the building. After filing a registration statement the building owner shall provide access to the City to conduct an exterior and interior inspection of the building to determine compliance with all applicable laws, statutes, ordinances, codes, rules and regulations, following reasonable notice, during the period covered by the initial registration or any subsequent renewal. Building owners have the right to refuse to consent to such an inspection. If a building owner refuses to consent to an inspection, the City will seek an administrative warrant prior to conducting the inspection.
- (2) In addition to other information required by the Building Director, the registration statement shall include the name, street address and telephone number of a natural person twenty-one (21) years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative adjudication proceeding, on behalf of such owner or owners in connection with the enforcement of this Code. This person must maintain an office in Cook County, Illinois, or must actually reside within Cook County, Illinois. An owner who is a natural person and who meets the requirements of this subsection as to location of residence or office may designate himself or herself as the agent. By designating an authorized agent under the provisions of this subsection, the owner is consenting to receive any and all notices of code violations concerning the registered building and all process in any court proceeding or administrative adjudication proceeding brought to enforce code provisions concerning the registered building by

service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this subsection shall be deemed to consent to the continuation of the agent's designation for the purposes of this subsection until the owner notifies the Building Department of a change of authorized agent or until the owner files a new annual registration statement. Any owner who fails to register a vacant building under the provisions of this subsection shall further be deemed to consent to receive, by posting at the building, any and all notices of code violations and all process in an administrative adjudication proceeding brought to enforce code provisions concerning the building.

(B) The owner of any building that has become vacant, and any person maintaining, operating or collecting rent for any building that has become vacant shall, within thirty (30) calendar days, do the following:

(1) Enclose and secure the building as provided in Section 1480.03 of this Code;

(2) Send a letter to the Building Department indicating the address of the building and the name, address and telephone number of the owner and the owner's authorized agent for the purpose of service of process. The name, address and telephone number of a person responsible for day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent, shall be indicated in the letter as well; and

(3) Maintain the building in a secure and closed condition until the building is again occupied or demolished or until repair or completion of the building has been undertaken.

(C) The owner of any building that has become vacant shall, within thirty (30) calendar days, acquire or otherwise maintain liability insurance, in an amount of not less than Three Hundred Thousand and No/100 U.S. Dollars (\$300,000.00) for buildings designed primarily for use as residential units and not less than One Million and No/100 U.S. Dollars (\$1,000,000.00) for any other building including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses. The liability insurance shall cover any damage to any person or any property caused by any physical condition of or in the building or the premises. Any insurance policy acquired after the building has become vacant shall provide for written notice to the Building Director within thirty (30) calendar days of any lapse, cancellation or change in coverage. The owner and the owner's authorized agent for service of process shall provide evidence of the insurance, upon request, to the Building Department.

(D) The Building Department may issue rules and regulations for the administration of this section. These rules may designate board-up materials and methods that must be used when securing a building so that the boarding is reasonably incapable of being removed by trespassers or others acting without the building owner's consent. Notwithstanding the foregoing, all boards used to board up a vacant building shall be painted black. Any person who violates any provision of this section or of the rules and regulations issued hereunder shall be fined not less than One Hundred and No/100 U.S. Dollars (\$100.00) and not more than Seven Hundred Fifty and No/100 U.S. Dollars (\$750.00) for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property. Any building in which any violation under this chapter remains uncorrected for over thirty (30) calendar days may be declared a public nuisance and shall be subject to abatement in accordance with the provisions of section 1480.04.

(E) To protect the health, safety and welfare of individuals entering vacant buildings, whenever the owner or an agent or representative of the owner of a vacant building, which includes a management company, enters a vacant building to undertake maintenance thereon, the owner, agent or representative shall notify the Building Department or the Police Department in writing before entering the vacant building.

**Section 5.** Chapter 1480 of the Code is hereby amended by adding Section 1480.03, which shall read as follows:

**§ 1480.03 MINIMUM REQUIREMENTS FOR VACANT BUILDINGS.**

In addition to any other applicable code requirements, each vacant building must be kept in compliance with the following requirements for as long as the building remains vacant:

(A) Lot Maintenance Standards – the lot that the building stands on and the surrounding public way shall be maintained as follows:

(1) All grass and weeds on the premises, including abutting sidewalks, gutters and alleys shall be kept below ten (10) inches in height and all dead or broken trees, tree limbs or shrubbery shall be cut and removed from the premises;

(2) The interior walkway leading to the main entry door and any public sidewalk adjoining the lot shall be shoveled clear of snow;

(3) Junk, rubbish, waste and any material that creates a health, safety or fire hazard including, but not limited to, any mail or flyers that have

been delivered to the building shall not be permitted to accumulate on any portion of the exterior lot of the building;

(4) No portion of the lot nor any structure, vehicle, receptacle or object thereon shall be maintained or operated in any manner that causes or produces any health or safety hazard or permits the premises to become a rodent harborage or is conducive to rodent harborage;

(5) The lot shall be maintained so that water does not accumulate or stand on the ground; and

(6) All fences and gates shall be maintained in sound condition and in good repair.

(B) Exterior Maintenance Standards – The exterior of the building shall be enclosed, secured and maintained as follows:

(1) Foundations, basements, cellars and crawlspaces shall be maintained in sound and watertight condition adequate to support the building and protected against the entry of rodents or other animals;

(2) Exterior walls shall be free of holes, breaks, loose or rotting boards or timbers and any other condition that might admit rain or dampness to the interior portions of the walls or the interior spaces and shall be protected against the entry of rodents or other animals;

(3) Exterior windows and doors shall be maintained in sound condition and good repair. Windows and doors shall fit tightly within their frames and the frames shall be constructed and maintained in such relation to the adjacent wall construction as to prevent rain from entering the building. Exterior windows and doors shall be equipped with hardware for locking and the locking mechanism shall be maintained in properly functioning condition. All points of possible ingress and egress including, but not limited to, exterior windows and doors shall be secured to prevent unauthorized entry. Any window that is broken, cracked or missing glass or glazing shall be replaced and maintained in good repair or the building opening shall otherwise be adequately secured pursuant to subsection (D);

(4) The roof shall be adequately supported and shall be maintained in a weathertight condition. The gutters, downspouts, scuppers and appropriate flashing shall be in good repair and adequate to remove the water from the building or structure;

(5) Chimneys and flues shall be kept in sound, functional and weathertight condition and in good repair;

- (6) Every outside stair or step shall be maintained in a sound condition and in good repair. Every porch, stoop, deck, veranda, balcony and walk shall be maintained in a sound condition for its purpose; and
- (7) All exit areas shall have continuous exterior lighting from dusk to dawn. Normal intensity of lighting shall be not less than two (2) footcandles per square foot on the floor surfaces within an eight (8) foot radius around said exit. This requirement may be met by the use of battery-powered or solar-powered lighting if such lighting meets the performance standards set by this subsection.

(C) Interior Maintenance Standards – The interior of any building shall be maintained as follows:

- (1) It is prohibited to accumulate or permit the accumulation of junk, trash, debris, boxes, lumber, scrap metal, junk vehicles or any other materials in such a manner that may produce any health, fire or safety hazard, or that may provide harborage for rodents or other animals on the premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked safely and shall be stacked away from stairs or hallways and any other places of ingress and egress;
- (2) Every foundation, roof, floor, wall, stair, ceiling and any other structural support shall be safe and capable of supporting the loads that normal use may cause to be placed thereon and shall be kept in sound condition and in good repair. Floors and stairs shall be free of holes, grooves and cracks that could be potentially hazardous;
- (3) Any plumbing fixtures shall be maintained with no leaking pipes. All pipes for water shall be either completely drained or heated to resist being frozen;
- (4) Every exit door maintained in compliance with subsection (D)(3) shall be secured with an internal deadbolt lock or with a locking mechanism, which shall be deemed sufficient or better by the Building Department, and every such exit door shall be capable of being opened from the inside easily and without the use of a key or special knowledge;
- (5) Interior stairs shall have treads and risers that have uniform dimensions, are sound, securely fastened and have no rotting, loose or deteriorating supports; and
- (6) Every owner shall be responsible for the extermination of insects, rodents and other vermin in or about the premises.

(D) Building Security Standards – The following standards apply to the securing of vacant buildings:

- (1) All building openings shall be closed and secured, using secure doors, glazed windows, commercial-quality steel security panels or filled with like-kind material as the surrounding wall, as applicable to prevent entry by unauthorized persons. Except as specifically authorized in this subsection (D), the use of plywood is prohibited;
- (2) Openings less than one (1) square foot in area may be boarded with plywood, provided that the boarding is made weathertight, finished with black varnish or paint, cut to the inside dimension of the exterior of the opening and is otherwise secured in the manner prescribed by the rules and regulations issued by the Building Department;
- (3) At least one (1) building entrance shall be accessible from the exterior and secured with a door that is locked to allow access only to authorized persons. A minimum of two (2) exit doors shall be available to exit from the interior of the building, with at least one (1) exit door available per one hundred fifty (150) linear feet of horizontal travel at ground-floor level;
- (4) For the first six (6) months a building is vacant but not thereafter, openings more than one (1) square foot in area may be boarded with plywood, which shall be installed and secured as prescribed by this section and by the rules and regulations issued by the Building Department;
- (5) If a building has been vacant for six (6) months or longer, or upon any renewal of the registration statement required in Section 1480.02, the building owner must implement and provide proof satisfactory to the Building Department that, in addition to complying with the security standards set forth elsewhere in this subsection (D), said building either: (i) contains all of the security features set forth in subsection (D)(5)(A), or (ii) is unviolated, as defined in subsection (D)(5)(B).
  - (A) Every opening larger than one (1) square foot in area shall be closed and secured with a commercial-quality, fourteen (14) gauge, rust-proof steel security panel or door. Security panels and doors shall have an exterior finish that allows for easy graffiti removal. Security panels and doors shall be secured from the interior of the building to prevent unauthorized removal.
  - (B) For purposes of subsection (D)(5), the term “unviolated” shall refer to a building: (i) that has a permanent door or window, as

applicable, in each appropriate building opening, and that has each such door or window secured to prevent unauthorized entry; and (ii) that has all of its door and window components including, without limitation, frames, jambs, rails, stiles, muntins, mullions, panels, sashes, lights and panes intact and unbroken. A building that does not meet the definition of "unviolated" shall be deemed "violated".

(C) It shall be a violation of this subsection (D)(5)(C) for a vacant building to become violated if the owner has provided proof to the Building Department that the building is unviolated. With respect to a vacant building represented by the owner as unviolated, if the Building Director determines, based on an inspection by the Building Department or a report prepared by another City agency, department or representative and provided to the Building Department, that such building is violated, the City shall send, by certified mail, a written notice of violation to the person responsible for the day-to-day supervision and management of the building or to the authorized agent for service of process as identified on the letter required by section 1480.02 (B)(2), or if there is no such letter, then sent by certified mail to the owner of record. Within thirty (30) calendar days of the mailing of such notice of violation, the owner shall be required to either: (i) comply with subparagraph (5)(A) of this section, or (ii) restore the building to an unviolated state and also install and maintain a working burglar alarm system and have an active account with a third party burglar alarm company. The burglar alarm system shall connect to all areas of the building subject to unauthorized human entry including, but not limited to, all exterior doors, windows or other readily accessible openings. The burglar alarm system shall, upon detecting unauthorized entry, send an automatic signal to a burglar alarm company that has twenty-four (24) hour live operators who will monitor the system, telephone the building owner or designated agent of the unauthorized entry and, if there is no adequate response from the building owner or designated agent, telephone the Police Department to inform it of the unauthorized entry.

(E) Rules and Regulations – The Building Director or a designee of the City Council may issue rules and regulations for the administration of this chapter. These rules and regulations may specify additional board-up materials that may be used when securing a building, if satisfactory proof is provided to the Building Director that such materials will perform in a manner equivalent to or better than the materials specified herein.

(F) Fines and Penalties – Any person who violates any provision of this section or of the rules and regulations issued hereunder shall be fined not less than One Hundred and No/100 U.S. Dollars (\$100.00) and not more than Seven Hundred Fifty and No/100 U.S. Dollars (\$750.00) for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property.

**Section 6.** Chapter 1480 of the Code is hereby amended by adding Section 1480.04, which shall read as follows:

**§1480.04 IMPROPERLY MAINTAINED BUILDINGS AND STRUCTURES SUBJECT TO NUISANCE ABATEMENT PROCEEDINGS.**

(A) The following buildings and structures are hereby declared to be public nuisances subject to abatement proceedings under this section:

- (1) A building or structure found to be vacant and open after the effective date of an order to secure and enclose issued pursuant to the City's administrative adjudication procedure within the previous twelve (12) months, unless stayed by a court of competent jurisdiction;
- (2) A building or structure that contains any violation of a health, fire, electrical, plumbing, building or zoning provision of this Code, which is imminently dangerous and hazardous;
- (3) A building or structure for which the costs of the repairs necessary to bring the building or structure into compliance with laws, statutes, ordinances, codes, rules and regulations would exceed the market value of the building or structure after the repairs would have been made, when the owner cannot show that the owner has readily available and sufficient assets to make such repairs or where such repairs otherwise are economically infeasible; or
- (4) A building or structure where an owner has failed to correct the code violation(s) that form the basis of an adverse order or judgment involving a building or structure, within sixty (60) calendar days of entry, unless such adverse order or judgment has been stayed by a court of competent jurisdiction.

(B) Abatement Procedures.

- (1) Whenever an inspection by the Building Department, other appropriate department or representative reveals that a building or structure is a public nuisance as described in this section, the Building Director or a designee of the City Council, with the concurrence of the City

Attorney, may initiate an abatement proceeding under this section through the City's administrative adjudication procedure by serving a complaint or notice on all owners of record, beneficial owners of any Illinois land trust having title to the property and all lienholders of record in the property. Said notice or complaint shall be served via personal delivery or certified mail, return receipt requested. As used in this section, "lienholders of record" include persons owning certificates of purchase under the Property Tax Code.

- (2) The notice shall: (a) be in writing; (b) include a description of the building or structure sufficient for identification; (c) state that the building or structure has been declared a public nuisance and that an abatement proceeding has been initiated pursuant to this section; (d) state that a hearing will be held in accordance with the City's administrative adjudication procedure; (e) set forth the date, time and location of the hearing; and (f) state that all owners of record, beneficial owners of any Illinois land trust having title to the property and all lienholders of record in the property shall be given the opportunity to appear and present evidence at the hearing to contest the determination that the building or structure is a public nuisance.
- (3) If after notice and hearing provided in this section, a hearing officer finds that the City has established by a preponderance of the evidence that the building or structure identified in the notice is a public nuisance as described in this section, the hearing officer shall enter an order of abatement requiring the owner or owners of record, including beneficial owners of any Illinois land trust, within the time frame specified in the order, to take all reasonable measures necessary to abate the public nuisance. The hearing officer's order of abatement may include, without limitation: correcting all code violations; altering, repairing or improving the building or structure; rendering the building or structure fit for human use or habitation; vacating or enclosing the building or structure; removing or demolishing the building or structure; or hiring a property manager or a receiver appointed by the hearing officer with the powers specified in the order of abatement.
- (4) Any person who fails to comply with a hearing officer's or court's abatement order issued under this section may be fined not less than One Hundred and No/100 U.S. Dollars (\$100.00) and not more than Seven Hundred Fifty and No/100 U.S. Dollars (\$750.00) for each offense. In addition, upon the failure to comply with the hearing officer's order, unless stayed by a court of competent jurisdiction, the Building Director, with the concurrence of the City Attorney, may seek an order from a hearing officer authorizing the City to repair, alter, improve, vacate, close, remove or demolish the building or structure as specified in the hearing officer's order.

- (C) The City Attorney is authorized, pursuant to the provisions of 11-31-1 of the Illinois Municipal Code (65 ILCS 5/11-31-1) and any and all other applicable laws, statutes, ordinances, codes, rules and regulations, to bring an action in a court of competent jurisdiction to abate a public nuisance described in this section. If the court finds that the City has established that the building or structure identified in the notice is a public nuisance as described in this section and enters an order of abatement the owner shall comply with said order within the time frame specified therein.
- (D) There shall be a rebuttable presumption that the issuance of an order of forfeiture or assignment of all of the defendant's rights, title and interest in the real estate shall be appropriate for any property that is determined to be a nuisance under subparagraphs (A)(1), (A)(2) or (A)(4) of this section. Whenever such an order of forfeiture or assignment is issued pursuant to a court order with respect to a vacant building or a building containing four (4) or fewer residential units, the holder of the first or senior mortgage or lien on the property, disregarding any more senior mortgages or liens held by a unit of government shall, beginning sixty (60) calendar days after the date the order is issued, be liable for any code violations on the property on and after that date, unless the holder has waived its rights under the mortgage or lien; provided that the sixty (60) calendar day period after which liability attaches may be extended by a court upon a showing that the mortgage or lienholder has exercised reasonable diligence in abating the nuisance and that additional time is needed to complete the abatement. The holder of such a mortgage or lien shall have the right to take possession of the property in order to effect necessary repairs beginning on the date that an order of forfeiture or assignment issues. In any case in which an order of forfeiture or assignment is sought for property involving a vacant building or a building containing four (4) or fewer residential units, the holder of any first or senior mortgage or lien, disregarding any more senior mortgage or lien held by a unit of government, shall be given notice and an opportunity to intervene as a party.
- (E) For any building or structure that is a public nuisance subject to abatement proceedings under this section, the owner, the owner's agent for purposes of managing or controlling or collecting rents on the building or structure, the holder of a mortgage or lien with a right to possession of the building or structure under subsection (D) of this section and any other person managing or controlling the building or structure shall be fined not less than Two Hundred and No/100 U.S. Dollars (\$200.00) and not more than Seven Hundred Fifty and No/100 U.S. Dollars (\$750.00) for each day the nuisance has existed until the nuisance is abated. The amount of any fine issued under subsection (B)(4) of this section, imposed under this section or under any applicable law, statute, ordinance, code, rule or regulation in any proceeding involving a building or structure that is a public nuisance under this section, the cost of the repairs, alterations, improvements, vacating and enclosing or removal and demolition by the City, and the costs of bringing the abatement proceeding

under this section, including inspectors' and attorneys' fees, shall be recoverable from the owner or owners and shall be a lien on the property upon which the building or structure is or was located and shall also be enforceable against any person against whom the order issues as provided by law. Any lien created under this section may, upon a showing of good cause, be waived by the City Counsel. The lien for the costs of repairs, alterations, improvements, demolition, receivership, vacating or enclosing shall be a first lien upon the real estate and the rents and issues thereof and shall be superior to all prior assignments of rents and all prior existing liens and encumbrances, except taxes or as otherwise provided by law, and shall be enforced pursuant to applicable law. No license shall be issued relating to the property subject to such lien until the lien is satisfied or, upon a showing of good cause, the lien is waived by the City Attorney. Nothing in this section shall prevent the City from seeking other remedies for violations of applicable laws, statutes, ordinances, codes, rules and regulations through the use of any other administrative adjudication procedure or court proceeding, including the imposition of fines for violations of any applicable law, statute, ordinance, code, rule or regulation.

**Section 7.** The officers, employees and/or agents of the City shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the City are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with the amendments contemplated by this Ordinance.

**Section 8.** All prior actions of the City's officials, employees and agents with respect to the subject matter of this Ordinance are hereby expressly ratified.

**Section 9.** The provisions of this Ordinance are hereby declared to be severable, and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**Section 10.** All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**Section 11.** This Ordinance shall be effective ten (10) calendar days after a full, true and complete copy of this Ordinance is published in pamphlet form as provided by the Illinois Municipal Code, as amended.

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**ADOPTED** by the City Council of the City of Berwyn, County of Cook, State of Illinois on this 27<sup>th</sup> day of July 2010, pursuant to a roll call vote, as follows:

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**APPROVED** this 27<sup>th</sup> day of July 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

I-2

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 08/10/10

**Deferred Communication**

Agenda Item I-2 is a Deferred Communication from C C Meeting dated 07/27/10 Item #11

FROM ALDERMAN POLASHEK

Re: ORDINANCE ADDING SECTION 662.11 TO CHAPTER 662-AUTHORIZING  
ABATEMENT OF PROPERTY USED FOR GANG ACTIVITY & CRIMES  
WITHIN THE CITY OF BERWYN

**The City of Berwyn**



**Theodore J. Polashek**

**6<sup>th</sup> Ward Alderman**

*I-2*

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www.berwyn-il.gov

ITEM NO. 11  
 DATE JUL 27 2010  
 DISPOSITION defer

July 27, 2010

Hon. Robert J. Lovero  
Aldermen of the Berwyn City Council  
6700 W. 26<sup>th</sup> Street  
Berwyn, IL 60402

Re: Ordinance adding Section 662.11 to Chapter 662, to authorize the abatement of property used for Gang Activity and Crimes within the City of Berwyn

Ladies and Gentlemen:

I am submitting the attached Ordinance for your consideration. This "gang and disorderly" legislation when adopted will aid the City in its efforts to make our community as safe as possible. The Law Department concurs with my recommendation.

Respectfully,

Theodore J. Polashek  
Alderman 6<sup>th</sup> Ward

**THE CITY OF BERWYN**  
THE CITY OF BERWYN, ILLINOIS

---

**ORDINANCE**  
NUMBER \_\_\_\_\_

---

**AN ORDINANCE ADDING SECTION 662.11 OF CHAPTER 662 TO  
THE CODIFIED ORDINANCES OF BERWYN TO AUTHORIZE THE  
ABATEMENT OF PROPERTY USED FOR GANG ACTIVITY AND  
CRIMES WITHIN THE CITY OF BERWYN, COUNTY OF COOK,  
STATE OF ILLINOIS**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, Clerk**  
**JOSEPH M. KROC, Treasurer**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**

**Aldermen**

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE ADDING SECTION 662.11 OF CHAPTER 662 TO THE CODIFIED ORDINANCES OF BERWYN TO AUTHORIZE THE ABATEMENT OF PROPERTY USED FOR GANG ACTIVITY AND CRIMES WITHIN THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS.**

**WHEREAS**, the City of Berwyn (the "City") is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970 and, as such, may exercise various powers and perform numerous functions pertaining to its government and affairs in any manner not otherwise prohibited by law; and

**WHEREAS**, the Mayor and the City Council (collectively, the "Corporate Authorities") have determined that it is the right of every person to be safe from fear, intimidation, harassment and injury caused by violent individuals or groups; and

**WHEREAS**, gangs pose a serious threat to residents of the City as they are oftentimes operated by criminally sophisticated adults who take advantage of youth by intimidating or coercing them into membership; and

**WHEREAS**, the Corporate Authorities have knowledge of the potential dangers that gangs pose to individuals living in, working in and visiting the City and are compelled to further protect the safety and welfare of those individuals; and

**WHEREAS**, the Illinois Streetgang Terrorism Omnibus Prevention Act (740 ILCS 147/1, *et seq.*), provides a civil remedy against streetgangs and their members and authorizes the abatement of any real property that is erected, established, maintained, owned, leased or used by any streetgang for the purpose of conducting streetgang related activity; and

**WHEREAS**, the Corporate Authorities are also committed to reducing the negative impact that crime has on property values and residents of the City; and

**WHEREAS**, Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes the corporate authorities of each municipality to define, prevent and abate nuisances; and

**WHEREAS**, the Corporate Authorities hereby declare that any premises erected, established, maintained, owned, leased or used by a gang for the purpose of conducting gang-related activity or used for any activity that constitutes a felony, misdemeanor, business offense or petty offense under federal, state or local law is hereby declared to be a public nuisance; and

**WHEREAS**, to deter gangs and crimes and to thwart gang activity within the corporate limits of the City, the Corporate Authorities have determined that the Codified Ordinances of Berwyn (the "Code") should be amended to provide that when persons maintain real property that is used for the purpose of conducting gang-related activity or crimes, the City is authorized to abate the same; and

**WHEREAS**, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the City and its residents to add Section 662.11 of Chapter 662 to the Code as set forth below.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the City Council of the City of Berwyn, County of Cook, State of Illinois, in the exercise of the City's home rule powers, as follows:

**Section 1.** The statements set forth in the preambles to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

**Section 2.** Chapter 662 of the Code is hereby amended by adding Section 662.11, which shall read as follows:

**§662.11 GANG AND DISORDERLY HOUSES.**

(A) Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COURSE OR PATTERN OF CRIMINAL ACTIVITY.** Two (2) or more Gang-related criminal offenses committed in whole or in part within this State when: (1) at least one (1) such offense was committed after the effective date of the Illinois Streetgang Terrorism Omnibus Prevention Act (740 ILCS 147/1, *et seq.*); (2) both offenses were committed within five (5) years of each other; and (3) at least one (1) offense involved the solicitation to commit, conspiracy to commit, attempt to commit or commission of any offense defined as a felony or forcible felony under the Criminal Code of 1961 (720 ILCS 5/1-1, *et seq.*). Course or Pattern of Criminal Activity also means one (1) or more acts of criminal defacement of property under Section 21-1.3 of the Criminal Code of 1961 (720 ILCS 5/21-1.3), if the defacement includes a sign or other symbol intended to identify the Streetgang.

**PREMISES.** Any parcel of property and the building(s) or structure(s), if any, situated thereon and any public way that abuts the parcel of property when it is used in conjunction with the abutting property for the commission of an illegal activity.

**STREETGANG, GANG, ORGANIZED GANG OR CRIMINAL STREET GANG.** Any combination, confederation, alliance, network, conspiracy, understanding or other similar conjoining, in law or in fact, of three (3) or more persons with an established hierarchy that, through its membership or through the agency of any member, engages in a Course or Pattern of Criminal Activity.

**STREETGANG RELATED OR GANG-RELATED.** Any criminal activity, enterprise, pursuit or undertaking directed by, ordered by, authorized by, consented to, agreed to, requested by, acquiesced in or ratified by any Gang leader, officer or governing or policy-making person or authority, or by any agent, representative or deputy of any such officer, person or authority: (1) with the intent to increase the Gang's size, membership, prestige, dominance or control in any geographical area; (2) with the intent to provide the Gang with any advantage in or any control or dominance over any criminal market sector including, but not limited to, the manufacture, delivery or sale of controlled substances or cannabis; arson or arson-for-hire; traffic in stolen property or stolen credit cards; traffic in prostitution, obscenity or pornography; dog fighting; or that involves robbery, burglary or theft; (3) with the intent to exact revenge or retribution for the Gang or any member of the Gang; (4) with the intent to obstruct justice or intimidate or eliminate any witness against the Gang or any member of the Gang; or (5) with the intent to otherwise directly or indirectly cause any benefit, aggrandizement, gain, profit

or other advantage whatsoever to or for the Gang, its reputation, influence or membership.

- (B) Any Premises erected, established, maintained, owned, leased or used by a Gang for the purpose of conducting Gang-related activity or used for any activity that constitutes a felony, misdemeanor, business offense or petty offense under federal, state or local law is hereby declared to be a public nuisance; provided that no public nuisance or violation of this section shall be deemed to exist unless: (1) the property is used for two (2) or more such offenses within any six (6) month period; or (2) the offense for which the property is used is punishable by imprisonment for one (1) year or more.
- (C) Any person who owns, manages or controls any Premises and who: (1) encourages or permits an illegal activity described in subsection (B) to occur or continue on such Premises; or (2) fails to implement abatement measures identified in the notice issued pursuant to subsection (F) or other abatement measures that successfully abate the nuisance within the ten (10) calendar day period following the notice, or within any other agreed upon period, shall be subject to a fine in accordance with subsection (D). No person shall be found in violation of (C)(2) of this subsection unless the City proves by a preponderance of the evidence that the abatement measures were reasonable and warranted, and that the defendant knowingly failed to implement them. A person may be found in violation of (C)(1) or (C)(2) of this subsection regardless of whether an order of abatement is issued under subsection (E) or in violation of (C)(1), regardless of whether a notice has been given under subsection (F). A fine in accordance with subsection (D) may be assessed in a court of competent jurisdiction, through the City's administrative adjudication procedure or by agreement or waiver of the person who is alleged to have violated this section.
- (D) Any person found to have violated this section shall be fined not less than One Hundred and No/100 U.S. Dollars (\$100.00) and not more than Seven Hundred Fifty and No/100 U.S. Dollars (\$750.00) for any violation of this section. Each day that a violation of this section continues shall be considered a separate and distinct offense.
- (E) The Building Director or a designee of the City Council may bring an action to abate a public nuisance in a court of competent jurisdiction or through the City's administrative adjudication procedure. The presiding authority shall issue an order of abatement upon a finding of liability under this section. The order of abatement shall require the defendant to take measures reasonably calculated to prevent the recurrence of the illegal activity at the Premises. In ordering these measures, the presiding authority shall consider the magnitude of the harm caused by the nuisance, the value of the property and the extent to which the defendant has failed to take effective measures to abate the nuisance. Those measures may include, but are not limited to, making improvements to

the Premises and installing lighting to enhance security, hiring licensed and insured security personnel, hiring a receiver and/or initiating and executing eviction proceedings against tenants engaged in illegal activity.

(F) Every person owning, leasing, occupying or controlling any Premises within the corporate limits of the City where a public nuisance, as defined by subsection (B), is being maintained shall take all necessary steps to remove or abate the nuisance. Whenever the Building Director or an authorized representative of the City Council reasonably believes that any Premises constitutes a public nuisance, as described in subsection (B), he or she shall give written notice to the person who owns or controls the Premises. Such notice shall include, but not be limited to, stating that a nuisance exists and identifying reasonable abatement measures that must be taken within ten (10) calendar days of the notice. The notice shall be in writing and may be served in person or sent by certified mail, return receipt requested. The notice shall provide the recipient a reasonable opportunity to meet with a representative of the City to discuss the allegations in the notice and the need for abatement measures or participate in the City's administrative adjudication process. Failure to attend a meeting, participate in the City's administrative adjudication process or implement the abatement measures requested in the notice, or those subsequently agreed to, within the ten (10) calendar day period following the notice, or within any period subsequently agreed upon, comprises a violation of subsection (C)(2) of this section.

(G) To ensure the safety of the residents of the City, whenever any public nuisance is found on any Premises within the City, the Building Director or a designee of the City Council is authorized to cause the nuisance to be summarily abated in such manner as the City may direct.

**Section 3.** The officers, employees and/or agents of the City shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the City are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with the amendments contemplated by this Ordinance..

**Section 4.** All prior actions of the City's officials, employees and agents with respect to the subject matter of this Ordinance are hereby expressly ratified.

**Section 5.** The provisions of this Ordinance are hereby declared to be severable, and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**Section 6.** All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**Section 7.** This Ordinance shall be effective ten (10) calendar days after a full, true and complete copy of this Ordinance is published in pamphlet form as provided by the Illinois Municipal Code, as amended.

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

**ADOPTED** by the City Council of the City of Berwyn, County of Cook, State of Illinois on this 27<sup>th</sup> day of July 2010, pursuant to a roll call vote, as follows:

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**APPROVED** this 27<sup>th</sup> day of July 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

**The City of Berwyn**



**Nona N. Chapman**  
1<sup>st</sup> Ward Alderman

I3

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[www.berwyn-il.gov](http://www.berwyn-il.gov)

August 4, 2010

Mayor Robert J. Lovero  
Members of the Berwyn City Council  
Berwyn City Hall

SUBJECT: Professional Services Contract

Ladies and Gentlemen,

It would be my request to take action on the Professional Services Contract that was discussed during the last Closed Committee of the Whole dated July 27, 2010.

It would be my recommendation to approve the contract.

Respectfully,

A handwritten signature in black ink that reads "Nona N. Chapman". The signature is written in a cursive, flowing style.

Nona N. Chapman  
1<sup>st</sup> Ward Alderman

**The City of Berwyn**



**Nona N. Chapman**  
1st Ward Alderman

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www.berwyn-il.gov

August 4, 2010

Mayor Robert J. Lovero  
Members of the Berwyn City Council  
Berwyn City Hall

SUBJECT: Garage height variance request @ 7004 39th Street

Ladies and Gentlemen,

I am asking this council to take under consideration his garage height request from Mr. Scott Brave a 1st ward resident, residing at 7004 39th Street. He is requesting a variance of 2 feet higher than the normal height maximum of 14 feet. The resident and I have met with the building director Charles Lazzara and he also concurs with the recommendation. Please review Mr. Brave's attached letter and the surrounding neighbor's signatures of consent in favor of the additional 2 feet in height for his garage variation.

It would be my recommendation to allow the garage at 7004 39th Street to build up to the 16 foot height.

Respectfully,

Nona N. Chapman  
1st Ward Alderman

**Alderman, Ward 1**  
Nona N. Chapman  
6700 26th Street  
Berwyn, IL 60402  
Phone: 708-788-2660  
Fax: 708-788-2675

Dear Mrs. Chapman,

My name is Scott Brave and I am the home owner at 7004 W. Pershing Road here in Berwyn. On June 5<sup>th</sup>, 2010, my garage caught fire and resulted in a total loss. A replacement garage will be built as soon as possible.

Recently, I built a similar garage for my mother with a 16 foot height at the peak. It is a fantastic garage with easy, accessible rafter storage space.

I would like to build my replacement garage to be the same as the one I built for my mother. The Berwyn code limit is 14 feet maximum; my request is to increase this height by 24 inches.

I have asked my neighbors if they would object to me rebuilding the garage I had **but** with the 24 inch height increase. To date, I have had no objections and have enclosed copies of the names, addresses and signatures of those surrounding neighbors contacted.

Pictures are enclosed to show how the proposed garage would look. Any suggestions or help you could provide in attaining this variance will be most appreciated.

Sincerely,

Scott Brave  
7004 W. Pershing Road  
Berwyn, Illinois 60402  
Cell phone: 708-788-2660

Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to the additional height.

Resident's Name Richard Roddy <sup>Rudal</sup> <sup>Rodriguez</sup>  
Address 7002 Pershing Rd  
Phone \_\_\_\_\_

Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to the additional height.

Resident's Name Debra Rodriguez  
Address 7002 Pershing Road  
Phone \_\_\_\_\_



Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to the additional height.

Resident's Name Cindy Stadi  
Address 3835 W. Laramie  
Phone \_\_\_\_\_



Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to the additional height.

Resident's Name MARLEEN PIETRUSIENHAJLO  
Address 3836 24TH AVE  
Phone -  
*Marleen Pietrusienhajlo*

Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to the additional height.

Resident's Name Tom Slad  
Address 3835 Wenonah  
Phone '  
*Tom Slad*

Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to the additional height.

Resident's Name PATRICIA STEADMAN  
Address 7002 PERSHING Rd.  
Phone -  
*Patricia Steadman*

Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to this additional height.

Resident's Name MARIA PIETRUSIEWICZ  
Address 3836 HOME AVE  
Phone Maria Pietrusiewicz

Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to this additional height.

Resident's Name JULIE M BEAVIN  
Address 7008 PERSHING  
Phone Julie M Beavin

Scott Brave, the home owner at 7004 Pershing Road, Berwyn, Illinois, has asked me, as his neighbor, if I would object to him rebuilding his garage with an additional 24 inches in height. I have no objections to this additional height.

Resident's Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

**The City of Berwyn**



**Margaret Paul**  
3<sup>rd</sup> Ward Alderman

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www.berwyn-il.gov

Honorable Mayor Robert J. Lovero  
Aldermen of the Berwyn City Council  
6700 W. 26<sup>th</sup> Street  
Berwyn, Illinois 60402

August 5, 2010

Re: Parking Restriction from 3100 Oak Park Avenue to Stanley Avenue

Ladies and Gentlemen:

Section 480.07 (E) of the City of Berwyn Code of Ordinances states:

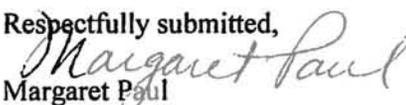
*"Two hour parking from 7:00 a.m. to 5:00 p.m., Monday through Saturday, shall be designated in the following locations:  
... (2) West side of Oak Park Avenue from the southern property line of 3300 Oak Park Avenue to 31<sup>st</sup> Street. East side  
from Stanley Avenue to 31<sup>st</sup> Street."*

Residents living in homes, condominiums and apartments in this restricted parking area have voiced concerns about the application and enforcement of this ordinance. I have been told that tickets have been written while residents have been parked less than the allotted 2 hour time limit. Residents have received tickets even though they have moved their vehicles to another section of the street prior to the 2 hour expiration.

I have been advised by residents that a Local Ordinance Adjudicator is continuing hearings on all ticket violations of Sec. 480.07(E)(2) issued to residents. The Adjudicator is advising the residents to contact their Alderman and ask for a review the parking situation. Clearly, the Adjudicator's actions raise a concern that the application or enforcement of this ordinance may be too harsh for the circumstances.

I respectfully request that this matter be referred to the Parking and Traffic Committee, the Traffic Engineer, and City Attorney for review of the application and enforcement of Sec. 480.07 (E)(2) as it pertains to vehicles owned and operated by people residing on Oak Park Avenue in the restricted area. I also request that the Parking and Traffic Committee, Traffic Engineer, and City Attorney make recommendations for the revision of the ordinance if deemed appropriate. I further request that the adjudication of all parking violations of 480.07 (E)(2) issued to owners of vehicles who reside on Oak Park Avenue in this restricted area be stayed until the Parking and Traffic Committee has submitted its report on this matter to the City Council.

Respectfully submitted,

  
Margaret Paul  
Alderman, 3<sup>rd</sup> Ward



## **J. Staff Reports**

51

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 08/10/10

**Deferred Communication**

Agenda Item J-1 is a Deferred Communication from C C Meeting dated 07/27/10 Item #17

FROM LAW DEPARTMENT

Re: ORDINANCE ESTABLISHING A ZONING, PLANNING , AND  
DEVELOPMENT COMMISSION & PROVIDING FOR THE HEARING  
OF CERTAIN MATTERS BY THE BUILDING, PLANNING & ZONING  
COMMITTEE

The City of Berwyn  
J-4



A Century of Progress with Pride

Anthony T. Bertuca  
City Attorney  
ITEM NO. \_\_\_\_\_  
DATE JUL 27 2010  
DISPOSITION *defer*  
\_\_\_\_\_  
\_\_\_\_\_

July 27, 2010

Honorable Mayor, Robert J. Lovero  
And Members of the Berwyn City Council

Re: An Ordinance Establishing a Zoning, Planning and Development Commission and Providing for  
the Hearing of Certain Matters By the Building Planning and Zoning Aldermanic Committee

Ladies and Gentlemen:

The Law Department along with the Mayor's Office is submitting the attached Ordinance for your  
consideration. We are requesting your concurrence in the approval of this Ordinance.

Respectfully submitted,

*Anthony T. Bertuca*  
Anthony T. Bertuca  
City Attorney

---

**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

---

**ORDINANCE**  
NUMBER \_\_\_\_\_

---

**AN ORDINANCE ESTABLISHING A ZONING, PLANNING AND  
DEVELOPMENT COMMISSION AND PROVIDING FOR THE  
HEARING OF CERTAIN MATTERS BY THE BUILDING, PLANNING  
AND ZONING ALDERMANIC COMMITTEE AND AMENDING  
CHAPTER 1244 OF THE CODIFIED ORDINANCES  
OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

---

**ROBERT J. LOVERO, Mayor  
THOMAS J. PAVLIK, Clerk  
JOSEPH M. KROC, Treasurer**

**NONA N. CHAPMAN  
JEFFREY G. BOYAJIAN  
MARGARET PAUL  
MICHELE D. SKRYD  
CESAR A. SANTOY  
THEODORE J. POLASHEK  
RAFAEL AVILA  
NORA LAURETO  
Aldermen**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ESTABLISHING A ZONING, PLANNING AND  
DEVELOPMENT COMMISSION AND PROVIDING FOR THE HEARING OF CERTAIN  
MATTERS BY THE BUILDING, PLANNING AND ZONING ALDERMANIC COMMITTEE AND  
AMENDING CHAPTER 1244 OF THE CODIFIED ORDINANCES  
OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

---

**WHEREAS**, on August \_\_\_\_, 2010 the Mayor and City Council conducted a public hearing to consider the establishment of a Zoning and Planning and Development Commission and for the hearing of certain matters by the Building, Planning and Zoning Aldermanic Committee; and

**WHEREAS**, the Mayor and City Council have determined that the consolidation of all zoning matters before a single commission will enhance the continued economic growth of the City and promote a corporate purpose.

**BE IT ORDAINED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, in the exercise of Berwyn=s home rule powers as follows:

**SECTION 1:** The foregoing preambles are restated and incorporated herein by reference as though fully set forth herein.

**SECTION 2:** Chapter 1244 of the Codified Ordinances is hereby amended by abolishing the Board of Appeals, deleting the existing text and substituting the following in lieu thereof:

**' 1244.01 ESTABLISHMENT OF THE ZONING, PLANNING AND DEVELOPMENT COMMISSION  
MEMBERSHIP AND TERM OF OFFICE.**

- (A) In order that adequate provisions are made for the preparation of a Comprehensive City Plan for the guidance, direction, and control of the growth and development or redevelopment of the City for the review of certain decisions of the Building Director, and for hearings on petitions for variances, zoning amendments and special use permits a Planning Zoning and Development Commission (ACommission@) is hereby created.
- (B) The Commission shall consist of seven members appointed by the Mayor with the advice and consent of the City Council, one of whom shall be designated by the Mayor as the chairperson.

- (C) Of the original seven members, two shall be appointed for a term of one year, two shall be appointed for a term of two years, and three shall be appointed for a term of three years and until their successors are appointed and qualified. Thereafter all appointments shall be for a term of three years except an appointment to fill an unexpired term which shall be for the balance of the unexpired term. Members shall not receive any compensation for their service on the Commission.

**1244.02 MEETINGS**

- (A) All meetings of the Commission shall be held at the call of the chairperson and at such other times as the Commission may determine by a majority vote.
- (B) The Commission shall adopt its own rules of procedure.
- (C) The Commission shall appoint a secretary from among its members.

**1244.03 APPEALS AND REVIEW**

- (A) The Commission shall hear appeals from and review any order, decision or determination made by the Building Director.
- (B) Any appeal must be filed with the Commission within 45 days of the order, decision or determination of the Building Director and shall specify the grounds for the appeal.
- (C) The Commission shall fix a reasonable time and place for the hearing of appeals and shall give notice thereof to the persons appealing. The Commission shall hear the appeal within 45 days. At the hearing, parties of interest may appear in person or by agent or attorney.
- (D) Within 30 days following the conclusion of the hearing the Commission shall recommend to the City Council whether to confirm, reverse or modify any order, decision or determination of the Building Director.

**1244.04 VARIANCES**

- (A) Application. An application for a variance of the regulations of this Chapter may be made by a property owner or his agent to the Commission. Such application shall be made in writing

stating the variance requested, the location of the property for the variance is requested, name of the property owner, and cause for the requested variance.

- (B) **Public hearing.** The Commission shall fix a reasonable time and place for the public hearing and shall give notice of the time and place of such hearing, published at least once, not more than 30 days and not less than 15 days before the hearing in one or more newspapers with a general circulation within the municipality. The notice shall contain a description of the particular location for which the variance is requested as well as a brief statement of what the proposed variance consists.
- (C) **Report of findings.** The Commission shall report its findings and recommendations in writing to the City Council within 45 days of the conclusion of the public hearing. In considering all proposed variances to this Chapter, the Commission shall, before recommending that the City Council grant any variance first determine and make findings of fact that the proposed variance will not merely serve as convenience to the applicant but is necessary to alleviate some demonstrable hardship and will not impair an adequate supply of light and air to adjacent property; unreasonably increase the congestion in public streets; increase the danger of fire or endanger the public safety; unreasonably diminish or impair established property values within the surrounding area; or in any other respect impair the public health, safety, comfort, morals, and welfare of the inhabitants of the City.
- (D) **Action by City Council.**
  - 1. Upon receipt of the report and recommendations from the Commission to grant or deny the variance, the City Council without further public hearing, may adopt or reject the proposed variance or may refer it back to the Commission for further consideration, and any proposed variance which fails to receive the approval of the Commission shall not be passed except by a vote of two-thirds of all the members of the City Council.

2. No variance shall be approved by the City Council without a hearing by the Commission as required herein, nor without a report thereof having been made by the Commission to the City Council.

(E) **Miscellaneous.**

No order for a variance permitting a use of a building or premises shall be valid for a period longer than six months, unless such use is established within such period; provided, that where such use permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for said erection or alteration obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

**1244.05 ADDITIONAL POWERS AND DUTIES**

The Commission shall have the following additional powers and duties when requested by the Mayor and City Council:

- (A)(1) To prepare and recommend to the Mayor and City Council a comprehensive plan for the present and future development or redevelopment of the City. Such plan may be adopted in whole or in separate parts, each of which, when adopted, shall be the official comprehensive plan ("Comprehensive Plan"), or part thereof, of the City. The Comprehensive Plan shall be advisory except as to such part thereof as has been implemented by an ordinance enacted by the City Council.
- (A)(2) To provide for the health, safety, comfort, and convenience of the inhabitants of the City, the Comprehensive Plan shall establish reasonable standards of design for subdivisions and for resubdivisions of unimproved land and of areas subject to redevelopments in respect to public improvements as herein defined and shall establish reasonable requirements governing the location, width, course, and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, storm water drainage, water

supply and distribution, sanitary sewers, and sewage collection and treatment. The requirements specified herein shall become regulatory only when adopted by ordinance.

- (B) To recommend to the Mayor and City Council from time to time such changes in the Comprehensive Plan, or any part thereof, as may be deemed necessary.
- (C) To prepare and recommend to the City Council from time to time, plans or recommendations for specific improvements pursuant to the Comprehensive Plan.

**1244.06 ZONING AMENDMENTS, SPECIAL USE PERMITS**

The Commission shall have the authority and responsibility to hear and report findings and recommendations to the Mayor and City Council on all applications for amendments, special use permits and planned unit developments in the manner prescribed by the following standards and other regulations set forth herein:

- (A) Initiation of amendment. Amendments may be proposed by the Mayor, the City Council, the Commission, or the owner of any property for which an amendment, special use permit or planned unit development is sought.
- (B) Processing application for amendment.
  - 1. An application for an amendment, special use or planned unit development shall be filed with the Building Director. The application shall be accompanied by such plans or data, and such other information, as specified by the Commission, and shall include a statement in writing by the applicant and adequate evidence showing that the proposed amendment, special use or planned unit development will conform to the standards of the City ordinances. Copies of such application shall be forwarded by the City Clerk Building Director to the Commission with the request to hold a public hearing.
  - 2. Notices.
    - a) The Commission shall give notices of the public hearings to the applicant and to the owners of other properties which may be affected as determined by the Commission.

b) All notices shall be in writing and shall give time, place, and purpose of such hearing and shall be mailed not more than 30 days, nor less than 15 days, in advance of such hearing. The notice shall be sent by certified mail, return receipt requested properly addressed as shown on the tax assessor=s rolls.

3. Publication. The Commission shall cause a notice of time, place, and purpose of such hearing to be published in a newspaper of general circulation within the City not more than 30 days nor less than 15 days in advance of such hearing.

4. Hearing on application. The Commission shall hold at least one public hearing on the application. The Commission may continue from time to time the hearing without further notice being published.

5. Findings of fact and recommendations of the Commission. Within 45 days after the close of the hearing on the application the Commission shall make written findings of fact and shall submit same, together with its recommendations to the City Council. Where the purpose and effect of the application is to change the zoning classification of particular property, the Commission shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

- a. Existing uses of property within the general area of the property in question;
- b. The zoning classification of property within the general area of the property in question;
- c. The suitability of the property in question to the uses permitted under the existing zoning classification; and
- d. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

(C) Decisions.

1. The Commission may recommend a zoning classification more restrictive than that requested.

2. A concurring vote of a majority of those voting members present at the meeting shall be required to recommend granting or denying an application for an amendment.

(D) Action by the City Council.

1. The City Council upon receiving the recommendations of the Commission may grant or deny any proposed application or may refer the application back to the Commission for further consideration.
2. If final action on a proposed recommendation from the Commission is not acted upon by the City Council within six months of the date upon which such recommendation is received by the City Council, the application shall be deemed to have been denied.

(E) Fees. A fee in the sum of \$300.00 shall accompany all applications for zoning amendments, special use permits and planned unit developments.

**§1244.7 HEARING BEFORE THE BUILDING, PLANNING AND ZONING ALDERMANIC COMMITTEE**

At the direction of the Mayor and City Council, the Building, Planning and Zoning Aldermanic Committee may perform any of the functions assigned to the Commission under this Chapter.

**SECTION 2:** 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 3:** All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4:** This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

ADOPTED this \_\_\_ day of August, 2010, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

APPROVED by the Mayor on August \_\_\_\_, 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

**The City of Berwyn**



**Anthony T. Bertuca**  
**City Attorney**

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2587  
www.berwyn-il.gov

August 10, 2010

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6700 W. 26<sup>th</sup> Street  
Berwyn, Illinois 60402

Re: 08WC27741  
08WC27742

Dear Mr. Pavlik,

Please put this item on the August 10, 2010 Council agenda authorizing the above, referenced matter for the total of \$3,926.83, based upon the City Council authority granted in Executive Session.

Very truly yours,

Anthony T. Bertuca  
City Attorney

The City of Berwyn



Anthony T. Bertuca  
City Attorney

A Century of Progress with Pride

August 10, 2010

Honorable Mayor, Robert J. Lovero  
And Members of the Berwyn City Council

Re: Ordinance Amending the Code of Ordinances to Authorize Video Gaming and Impose a Fee for  
Video Gaming Terminals

Ladies and Gentlemen:

I am submitting the attached Ordinance for your consideration. The Law Department is requesting your concurrence in the approval of this Ordinance.

Respectfully Submitted,

Anthony T. Bertuca  
City Attorney

**THE CITY OF BERWYN**  
**THE CITY OF BERWYN, ILLINOIS**

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**ORDINANCE**  
**NUMBER \_\_\_\_\_**

---

**AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS,  
AMENDING THE CODE OF ORDINANCES TO AUTHORIZE VIDEO GAMING  
AND IMPOSE A FEE FOR VIDEO GAMING TERMINALS**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

---

*Ordinance No. \_\_\_\_\_*

**AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, AMENDING THE CODE OF ORDINANCES TO AUTHORIZE VIDEO GAMING AND IMPOSE A FEE FOR VIDEO GAMING TERMINALS**

**WHEREAS**, the City of Berwyn (the “City”) is a duly organized and validly existing home-rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, the Illinois Video Gaming Act (230 ILCS 40/1, *et seq.*) (the “Act”) legalizes the use of video gaming terminals in specific licensed locations in Illinois; and,

**WHEREAS**, pursuant to the Act, a municipality may impose a fee for the operation of a video gaming terminal; and,

**WHEREAS**, the Mayor and City Council of the City (the “Corporate Authorities”) of the City believe it is in the best interests of the health, safety, and welfare of its residents to license video gaming and impose a fee for the operation of a video gaming terminal under certain conditions, all as hereinafter set forth.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, as follows:

**Section 1.** Section 630.01 of Chapter 630 of the City of Berwyn Code of Ordinances is hereby deleted in its entirety and replaced with the following:

*“630.01 Prohibited in Stores and Public Places.*

No person shall conduct or permit any gaming, gambling or game of chance, in any store or public place in the city, or conduct or permit a person to play, for money or any other article of value, with cards, dice, checks, tickets or books which may be used for winning or losing money or any other article or thing of value, in any store or public place in the city other than video gaming from terminals licensed by the state and displaying a video gaming sticker from the City as provided in 804.19 of this Code.”

**Section 2.** Section 804.01 of Chapter 804 of the City of Berwyn Code of Ordinances is

hereby amended by adding the following to the list of definitions as set forth therein:

“Video Gaming Sticker. Sticker or other kind of insignia or device required in order to operate a video gaming terminal on any premises licensed to sell alcoholic liquors.”

**Section 3.** Section 804.19 of Chapter 804 of the City of Berwyn Code of Ordinances is hereby amended by deleting said Section 804.19 in its entirety and replacing with the following:

*“§804.19 Video Gambling Permitted Only on Premises where Alcoholic Liquor is Sold at Retail.*

- (A) Any establishment within the City which is licensed to sell alcoholic liquor and has obtained a license to operate a video gaming terminal from the Illinois Gaming Board at such premises shall be required to apply for and obtain a video gaming sticker from the City for each video gaming terminal located at such establishment.
- (B) Any person licensed to sell alcoholic liquor may apply to the Liquor Control Commissioner for a City video gaming sticker on an application form provided and paid a fee of one thousand dollars (\$1,000.00) for each video gaming terminal at the premises.
- (C) All video gaming terminals at premises within the City shall display a City video gaming sticker at all times.
- (D) City video gaming stickers shall not be issued for any video gaming terminal on any premise that (i) is located within 1,000 feet of a horse racing or riverboat gambling facility or (ii) is located within a 100 feet of a school or a place of worship.
- (E) No more than five (5) video gaming terminals may be located on any premise where alcoholic liquor is sold.
- (F) Video gaming terminals must be located in an area that is restricted to persons over 21 years of age. The entrance to such area must be within the view of at least one employee.
- (G) No holder of a license to sell alcoholic liquor may cause or permit any person under the age of 21 years to use or play a video gaming device.\
- (H) Video gaming may be played only during the hours of operation for the consumption of alcohol at that establishment.
- (I) Any holder of a liquor license must comply with any provision of the Act and must also follow all rules, regulations and restrictions imposed by the Illinois Gaming Board.

(J) Annual fees to be paid shall be for a calendar year without proration should the video gaming terminal operate for any portion of any calendar year.

(K) Any violation of any provision of this Section 804.19 shall be deemed a violation of the provisions of this Chapter and subject to enforcement as provided in Section 804.21.”

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

**ADOPTED** this 10<sup>th</sup> day of August 2010, pursuant to a roll call vote as follows:

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

APPROVED by the Mayor on August 10, 2010.

\_\_\_\_\_  
Robert J. Lovero  
MAYOR

ATTEST:

\_\_\_\_\_  
Thomas J. Pavlik  
CITY CLERK

The City of Berwyn



**Brian L. Pabst**  
City Administrator

**A Century of Progress with Pride**

Date: August 5, 2010

To: City Council and Mayor Robert Lovero  
From: Brian Pabst, City Administrator

RE: Renewal of Auto Physical Damage Insurance

The City's auto physical damage insurance coverage is expiring on August 22, 2010. The policy insures physical damage coverage for 23 vehicles that are over \$60,000 in value or are required to carry insurance by contract.

Recently, we asked our independent insurance carrier to bid auto physical damage insurance coverage and therefore, per past practice, we have asked the council to waive the sealed bid process as our independent agent solicited bids.

Our insurance broker, Megan Parrilli sent our information to five companies for a quote. Three companies (Zurich, Indian and Travelers) declined to bid and one company (London) was willing to provide a quote, but indicated their premium was in excess of \$50,000 - see attached letters. However, we did receive a favorable bid from The Cincinnati Insurance Company who currently covers the City Vehicles - see attached.

Both staff and our insurance broker recommend that the City renew its coverage with The Cincinnati Insurance Company in the amount of \$22,735 annually for the following reasons:

- They hold an AM Best Rating Guide of "A+ Excellent"
- 3 year guaranteed price
- Low premium

Our insurance broker- Megan Parrilli will be in attendance at Tuesday's council meeting to answer general questions pertaining to the attached quotes.

Recommendation:

Grant permission to waive the sealed bid process and authorize the City Administrator and City Attorney to execute a three year renewable contract with The Cincinnati Insurance Company for auto physical damage insurance coverage in the amount of \$22,735 annually.

Respectfully,



Brian Pabst  
City Administrator

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567 [www.berwyn-il.gov](http://www.berwyn-il.gov)



We Serve and Protect

J-5

# BERWYN POLICE DEPARTMENT



6401 West 31st Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
Fax (708) 795-5627    Emergency 9-1-1

August 5, 2010

Mayor Robert J. Lovero  
Members of the Berwyn City Council  
6700 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

RE:    Commendations for Police Personnel

Dear Mayor and Aldermen:

On June 22, 2010, Officer Robert Fox, while on patrol, observed a suspicious vehicle with two young girls talking to the driver in the 1400 block alley of Scoville/Gunderson. Officer Fox summoned additional units while ascertaining that the driver had the girls dog inside his van and they were trying to get it back. The driver, upon questioning, gave conflicting stories of why he was in the area and why he had the dog. Upon investigation, it was discovered that the van had no unrestricted exit so if the girls had gotten in the van, they would not have been able to get out. Officer also learned that the driver had past arrests for Predatory Criminal Sexual Assault and was currently on bond.

The keen observations skills and instinct exhibited by Officer Fox and the subsequent follow-up investigation by Officers Carl Gray, Daniel Rodriguez, Michelle Stewart, Rita Hadadiyan, Tactical Officers Judith Velasquez, Guy Papa, Henry Feret and Detective Robert Armony, Anthony Gennett and Michael Fellows, prevented an unthinkable tragedy from occurring and I recommend that they all be honored for their service to our community in getting criminal charges and removing a predator from our streets.

Respectfully,

James D. Ritz  
Chief of Police

J-6

The City of Berwyn



John Wysocki  
Finance Director

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 (708) 788-0273  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

To: Mayor Robert J. Lovero and City Council

From: John Wysocki *John Wysocki*

Subject: Cafeteria Plan

Date: August 6, 2010

Attached is a copy of the City of Berwyn Cafeteria Plan along with a resolution to adopt the plan. The purpose of the plan is to allow for the employee's share of health insurance premiums to be deducted on a pre-tax basis. In order for the 10% contribution that employees have begun making toward their health insurance premiums to be excludable from employees' income, Section 125(a) of the Internal Revenue Code of 1986, as amended, requires the establishment of this Cafeteria Plan. The effective date is May 6, 2010 because that is the beginning of the pay period for which the first employee contributions were deducted on a pre-tax basis. Please adopt the attached resolution. Thank you.

**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

**RESOLUTION**  
NUMBER

**RESOLUTION OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**  
**ADOPTING A CAFETERIA PLAN**

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAPHAEL "RALPH" AVILA**  
**NORA LAURETO**  
**Aldermen**

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn on \_\_/\_\_/10

RESOLUTION No. \_\_\_\_\_

**RESOLUTION OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS  
DECLARING THE INTENTION OF THE CITY COUNCIL TO ADOPT THE CITY OF  
BERWYN CAFETERIA PLAN**

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

**WHEREAS**, the City provides health insurance benefits to its employees with some portion of the cost of those benefits borne by the employees as stipulated in union contracts or by City policy beginning May 6, 2010; and

**WHEREAS**, the employee portion of the cost of health insurance benefits is paid for by means of a redirection of a portion of the employees' salary payments, and

**WHEREAS**, the establishment of a Cafeteria Plan in accordance with Section 125 of the Internal Revenue Code of 1986 will allow for the employees' salary redirection to occur on a pre-tax basis which is advantageous to the employees; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Berwyn, Cook County, Illinois, pursuant to its home rule authority as follows:

Section 1: The Municipality makes the findings and determinations set forth in the preamble. The terms defined in the preamble are adapted for the purposes of this Resolution.

Section 2: The form of Cafeteria Plan effective May 6, 2010, presented to Berwyn City Council is hereby approved and adopted and that the duly authorized agents of the City are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

Section 3: The Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

Section 4: The duly authorized agents of the City shall act as soon as possible to notify the employees of the City of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this Council , which form is hereby approved.

Sections 3. This Resolution shall take effect immediately upon its adoption. This Resolution was adopted by the City Council of the City of Berwyn and deposited with the Office of the City Clerk this \_\_\_\_ day of August, 2010, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**APPROVED** by the Mayor on \_\_\_\_\_, 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

Thomas J. Pavlik  
 CITY CLERK

**CITY OF BERWYN CAFETERIA PLAN**

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# CITY OF BERWYN CAFETERIA PLAN

## INTRODUCTION

The Employer has adopted this Plan effective May 6, 2010, to recognize the contribution made to the Employer by its Employees. Its purpose is to reward them by providing benefits for those Employees who shall qualify hereunder and their Dependents and beneficiaries. The concept of this Plan is to allow Employees to choose among different types of benefits based on their own particular goals, desires and needs. The Plan shall be known as City of Berwyn Cafeteria Plan (the "Plan").

The intention of the Employer is that the Plan qualify as a "Cafeteria Plan" within the meaning of Section 125 of the Internal Revenue Code of 1986, as amended, and that the benefits which an Employee elects to receive under the Plan be excludable from the Employee's income under Section 125(a) and other applicable sections of the Internal Revenue Code of 1986, as amended.

## ARTICLE I DEFINITIONS

1.1 **"Administrator"** means the individual(s) or corporation appointed by the Employer to carry out the administration of the Plan. The Employer shall be empowered to appoint and remove the Administrator from time to time as it deems necessary for the proper administration of the Plan. In the event the Administrator has not been appointed, or resigns from a prior appointment, the Employer shall be deemed to be the Administrator.

1.2 **"Affiliated Employer"** means the Employer and any corporation which is a member of a controlled group of corporations (as defined in Code Section 414(b)) which includes the Employer; any trade or business (whether or not incorporated) which is under common control (as defined in Code Section 414(c)) with the Employer; any organization (whether or not incorporated) which is a member of an affiliated service group (as defined in Code Section 414(m)) which includes the Employer; and any other entity required to be aggregated with the Employer pursuant to Treasury regulations under Code Section 414(o).

1.3 **"Benefit" or "Benefit Options"** means any of the optional benefit choices available to a Participant as outlined in Section 4.1.

1.4 **"Code"** means the Internal Revenue Code of 1986, as amended or replaced from time to time.

1.5 **"Compensation"** means the amounts received by the Participant from the Employer during a Plan Year.

1.6 **"Dependent"** means any individual who qualifies as a dependent under an Insurance Contract for purposes of that Contract under Code Section 152 (as modified by Code Section 105(b)).

1.7 **"Effective Date"** means May 6, 2010.

1.8 **"Election Period"** means the period immediately preceding the beginning of each Plan Year established by the Administrator, such period to be applied on a uniform and nondiscriminatory basis for all Employees and Participants. However, an Employee's initial Election Period shall be determined pursuant to Section 5.1.

1.9 **"Eligible Employee"** means any Employee who has satisfied the provisions of Section 2.1.

An individual shall not be an "Eligible Employee" if such individual is not reported on the payroll records of the Employer as a common law employee. In particular, it is expressly intended that individuals not treated as common law employees by the Employer on its payroll records are not "Eligible Employees" and are excluded from Plan participation even if a court or administrative agency determines that such individuals are common law employees and not independent contractors.

1.10 **"Employee"** means any person who is employed by the Employer. The term Employee shall include leased employees within the meaning of Code Section 414(n)(2).

1.11 **"Employer"** means City of Berwyn and any successor which shall maintain this Plan; and any predecessor which has maintained this Plan. In addition, where appropriate, the term Employer shall include any Participating, Affiliated or Adopting Employer.

1.12 **"ERISA"** means the Employee Retirement Income Security Act of 1974, as amended from time to time.

1.13 **"Insurance Contract"** means any contract issued by an Insurer underwriting a Benefit.

1.14 **"Insurer"** means any insurance company that underwrites a Benefit under this Plan.

1.15 **"Key Employee"** means an Employee described in Code Section 416(i)(1) and the Treasury regulations thereunder.

1.16 **"Participant"** means any Eligible Employee who becomes a Participant pursuant to Section 2.2 and has not for any reason become ineligible to participate further in the Plan.

1.17 **"Plan"** means this instrument, including all amendments thereto.

1.18 **"Plan Year"** means the 12-month period beginning May 1st and ending April 30th, except that the first Plan Year shall be a short Plan Year beginning May 6, 2010. The Plan Year shall be the coverage period for the Benefits provided for under this Plan. In the event a Participant commences participation during a Plan Year, then the initial coverage period shall be that portion of the Plan Year commencing on such Participant's date of entry and ending on the last day of such Plan Year.

1.19 **"Premium Expenses"** or **"Premiums"** mean the Participant's cost for the Benefits described in Section 4.1.

1.20 "**Salary Redirection**" means the contributions made by the Employer on behalf of Participants pursuant to Section 3.1. These contributions shall be converted to Cafeteria Plan Benefit Dollars and allocated to the funds or accounts established under the Plan pursuant to the Participants' elections made under Article V.

1.21 "**Salary Redirection Agreement**" means an agreement which is deemed to be entered into between the Participant and the Employer under which the Participant agrees to reduce his Compensation or to forego all or part of the increases in such Compensation and to have such amounts contributed by the Employer to the Plan on the Participant's behalf. The Salary Redirection Agreement shall apply only to Compensation that has not been actually or constructively received by the Participant as of the date of the agreement (after taking this Plan and Code Section 125 into account) and, subsequently does not become currently available to the Participant.

1.22 "**Spouse**" means the legally married husband or wife of a Participant, unless legally separated by court decree.

## **ARTICLE II PARTICIPATION**

### **2.1 ELIGIBILITY**

Any Eligible Employee shall be eligible to participate hereunder as of the date he satisfies the eligibility conditions for the Employer's group medical plan, the provisions of which are specifically incorporated herein by reference.

### **2.2 EFFECTIVE DATE OF PARTICIPATION**

An Eligible Employee shall become a Participant effective as of the entry date under the Employer's group medical plan, the provisions of which are specifically incorporated herein by reference, unless such Employee elects, during the Election Period, not to participate in the Plan.

### **2.3 TERMINATION OF PARTICIPATION**

A Participant shall no longer participate in this Plan upon the occurrence of any of the following events:

- (a) **Termination of employment.** The Participant's termination of employment, subject to the provisions of Section 2.4;
- (b) **Death.** The Participant's death; or
- (c) **Termination of the plan.** The termination of this Plan, subject to the provisions of Section 8.2.

### **2.4 TERMINATION OF EMPLOYMENT**

If a Participant's employment with the Employer is terminated for any reason other than death, his participation in the Benefit Options provided under Section 4.1 shall cease.

subject to the Participant's right to continue coverage under any Insurance Contract for which premiums have already been paid.

### **ARTICLE III CONTRIBUTIONS TO THE PLAN**

#### **3.1 SALARY REDIRECTION**

Benefits under the Plan shall be financed by Salary Redirections sufficient to support Benefits that a Participant has elected hereunder and to pay the Participant's Premium Expenses. A Participant's salary shall be automatically reduced unless the Participant elects, during the Election Period, not to participate in the Plan. For new Participants, the Salary Redirection Agreement shall only be applicable from the first day of the pay period following the Employee's entry date up to and including the last day of the Plan Year.

Any Salary Redirection shall be determined prior to the beginning of a Plan Year (subject to initial elections pursuant to Section 5.1) and prior to the end of the Election Period and shall be irrevocable for such Plan Year. However, a Participant may revoke a Benefit election or a Salary Redirection Agreement after the Plan Year has commenced and make a new election with respect to the remainder of the Plan Year, if both the revocation and the new election are on account of and consistent with a change in status and such other permitted events as determined under Article V of the Plan and consistent with the rules and regulations of the Department of the Treasury. Salary Redirection amounts shall be contributed on a pro rata basis for each pay period during the Plan Year. All individual Salary Redirection Agreements are deemed to be part of this Plan and incorporated by reference hereunder.

#### **3.2 APPLICATION OF CONTRIBUTIONS**

As soon as reasonably practical after each payroll period, the Employer shall apply the Salary Redirection to provide the Benefits elected by the affected Participants.

#### **3.3 PERIODIC CONTRIBUTIONS**

Notwithstanding the requirement provided above and in other Articles of this Plan that Salary Redirections be contributed to the Plan by the Employer on behalf of an Employee on a level and pro rata basis for each payroll period, the Employer and Administrator may implement a procedure in which Salary Redirections are contributed throughout the Plan Year on a periodic basis that is not pro rata for each payroll period.

### **ARTICLE IV BENEFITS**

#### **4.1 BENEFIT OPTIONS**

Each Participant may elect any one or more of the following optional Benefits:

- (1) Health Insurance Benefit

## 4.2 HEALTH INSURANCE BENEFIT

(a) **Coverage for Participant and Dependents.** Each Participant may elect to be covered under a health Insurance Contract for the Participant, his or her Spouse, and his or her Dependents.

(b) **Employer selects contracts.** The Employer may select suitable health Insurance Contracts for use in providing this health insurance benefit, which policies will provide uniform benefits for all Participants electing this Benefit.

(c) **Contract incorporated by reference.** The rights and conditions with respect to the benefits payable from such health Insurance Contract shall be determined therefrom, and such Insurance Contract shall be incorporated herein by reference.

## 4.3 NONDISCRIMINATION REQUIREMENTS

(a) **Intent to be nondiscriminatory.** It is the intent of this Plan to provide benefits to a classification of employees which the Secretary of the Treasury finds not to be discriminatory in favor of the group in whose favor discrimination may not occur under Code Section 125.

(b) **25% concentration test.** It is the intent of this Plan not to provide qualified benefits as defined under Code Section 125 to Key Employees in amounts that exceed 25% of the aggregate of such Benefits provided for all Eligible Employees under the Plan. For purposes of the preceding sentence, qualified benefits shall not include benefits which (without regard to this paragraph) are includible in gross income.

(c) **Adjustment to avoid test failure.** If the Administrator deems it necessary to avoid discrimination or possible taxation to Key Employees or a group of employees in whose favor discrimination may not occur in violation of Code Section 125, it may, but shall not be required to, reduce contributions or non-taxable Benefits in order to assure compliance with this Section. Any act taken by the Administrator under this Section shall be carried out in a uniform and nondiscriminatory manner. If the Administrator decides to reduce contributions or non-taxable Benefits, it shall be done in the following manner. First, the non-taxable Benefits of the affected Participant (either an employee who is highly compensated or a Key Employee, whichever is applicable) who has the highest amount of non-taxable Benefits for the Plan Year shall have his non-taxable Benefits reduced until the discrimination tests set forth in this Section are satisfied or until the amount of his non-taxable Benefits equals the non-taxable Benefits of the affected Participant who has the second highest amount of non-taxable Benefits. This process shall continue until the nondiscrimination tests set forth in this Section are satisfied. With respect to any affected Participant who has had Benefits reduced pursuant to this Section, the reduction shall be made proportionately among insured Benefits.

**ARTICLE V  
PARTICIPANT ELECTIONS**

**5.1 INITIAL ELECTIONS**

An Employee who meets the eligibility requirements of Section 2.1 on the first day of, or during, a Plan Year may elect not to participate in this Plan for all or the remainder of such Plan Year, provided he elects to do so on or before his effective date of participation pursuant to Section 2.2.

**5.2 SUBSEQUENT ANNUAL ELECTIONS**

During the Election Period prior to each subsequent Plan Year, each Participant shall be given the opportunity to elect not to participate in the Plan. With regard to subsequent annual elections, the following options shall apply:

(a) A Participant or Employee who elected not to participate may elect to participate for the next Plan Year.

(b) A Participant may terminate his participation in the Plan by notifying the Administrator in writing during the Election Period that he does not want to participate in the Plan for the next Plan Year;

(c) An Employee who elects not to participate for the Plan Year following the Election Period will have to wait until the next Election Period before again electing to participate in the Plan, except as provided for in Section 5.4.

**5.3 FAILURE TO ELECT**

With regard to Benefits available under the Plan for which Premium Expenses apply, any Participant who fails to complete a new benefit election form pursuant to Section 5.2 by the end of the applicable Election Period shall be deemed to have made the same Benefit elections as are then in effect for the current Plan Year. The Participant shall also be deemed to have elected Salary Redirection in an amount necessary to purchase such Benefit options.

**5.4 CHANGE IN STATUS**

(a) **Change in status defined.** Any Participant may change a Benefit election after the Plan Year (to which such election relates) has commenced and make new elections with respect to the remainder of such Plan Year if, under the facts and circumstances, the changes are necessitated by and are consistent with a change in status which is acceptable under rules and regulations adopted by the Department of the Treasury, the provisions of which are incorporated by reference. Notwithstanding anything herein to the contrary, if the rules and regulations conflict, then such rules and regulations shall control.

In general, a change in election is not consistent if the change in status is the Participant's divorce, annulment or legal separation from a Spouse, the death of a Spouse or Dependent, or a Dependent ceasing to satisfy the eligibility requirements

for coverage, and the Participant's election under the Plan is to cancel accident or health insurance coverage for any individual other than the one involved in such event. In addition, if the Participant, Spouse or Dependent gains or loses eligibility for coverage, then a Participant's election under the Plan to cease or decrease coverage for that individual under the Plan corresponds with that change in status only if coverage for that individual becomes applicable or is increased under the family member plan.

Regardless of the consistency requirement, if the individual, the individual's Spouse, or Dependent becomes eligible for continuation coverage under the Employer's group health plan as provided in Code Section 4980B or any similar state law, then the individual may elect to increase payments under this Plan in order to pay for the continuation coverage. However, this does not apply for COBRA eligibility due to divorce, annulment or legal separation.

Any new election shall be effective at such time as the Administrator shall prescribe, but not earlier than the first pay period beginning after the election form is completed and returned to the Administrator. For the purposes of this subsection, a change in status shall only include the following events or other events permitted by Treasury regulations:

- (1) Legal Marital Status: events that change a Participant's legal marital status, including marriage, divorce, death of a Spouse, legal separation or annulment;
- (2) Number of Dependents: Events that change a Participant's number of Dependents, including birth, adoption, placement for adoption, or death of a Dependent;
- (3) Employment Status: Any of the following events that change the employment status of the Participant, Spouse, or Dependent: termination or commencement of employment, a strike or lockout, commencement or return from an unpaid leave of absence, or a change in worksite. In addition, if the eligibility conditions of this Plan or other employee benefit plan of the Employer of the Participant, Spouse, or Dependent depend on the employment status of that individual and there is a change in that individual's employment status with the consequence that the individual becomes (or ceases to be) eligible under the plan, then that change constitutes a change in employment under this subsection;
- (4) Dependent satisfies or ceases to satisfy the eligibility requirements: An event that causes the Participant's Dependent to satisfy or cease to satisfy the requirements for coverage due to attainment of age, student status, or any similar circumstance; and
- (5) Residency: A change in the place of residence of the Participant, Spouse or Dependent, that would lead to a change in status (such as a loss of HMO coverage).

(b) **Special enrollment rights.** Notwithstanding subsection (a), the Participants may change an election for accident or health coverage during a Plan Year and make a new election that corresponds with the special enrollment rights provided in Code Section 9801(f), including those authorized under the provisions of the Children's Health Insurance Program Reauthorization Act of 2009 (SCHIP); provided that such Participant meets the sixty (60) day notice requirement imposed by Code Section 9801(f) (or such longer period as may be permitted by the Plan and communicated to Participants). Such change shall take place on a prospective basis, unless otherwise required by Code Section 9801(f) to be retroactive.

(c) **Qualified Medical Support Order.** Notwithstanding subsection (a), in the event of a judgment, decree, or order (including approval of a property settlement) ("order") resulting from a divorce, legal separation, annulment, or change in legal custody which requires accident or health coverage for a Participant's child (including a foster child who is a Dependent of the Participant):

(1) The Plan may change an election to provide coverage for the child if the order requires coverage under the Participant's plan; or

(2) The Participant shall be permitted to change an election to cancel coverage for the child if the order requires the former Spouse to provide coverage for such child, under that individual's plan and such coverage is actually provided.

(d) **Medicare or Medicaid.** Notwithstanding subsection (a), a Participant may change elections to cancel accident or health coverage for the Participant or the Participant's Spouse or Dependent if the Participant or the Participant's Spouse or Dependent is enrolled in the accident or health coverage of the Employer and becomes entitled to coverage (i.e., enrolled) under Part A or Part B of the Title XVIII of the Social Security Act (Medicare) or Title XIX of the Social Security Act (Medicaid), other than coverage consisting solely of benefits under Section 1928 of the Social Security Act (the program for distribution of pediatric vaccines). If the Participant or the Participant's Spouse or Dependent who has been entitled to Medicaid or Medicare coverage loses eligibility, that individual may prospectively elect coverage under the Plan if a benefit package option under the Plan provides similar coverage.

(e) **Cost increase or decrease.** If the cost of a Benefit provided under the Plan increases or decreases during a Plan Year, then the Plan shall automatically increase or decrease, as the case may be, the Salary Redirections of all affected Participants for such Benefit. Alternatively, if the cost of a benefit package option increases significantly, the Administrator shall permit the affected Participants to either make corresponding changes in their payments or revoke their elections and, in lieu thereof, receive on a prospective basis coverage under another benefit package option with similar coverage, or drop coverage prospectively if there is no benefit package option with similar coverage.

A cost increase or decrease refers to an increase or decrease in the amount of elective contributions under the Plan, whether resulting from an action taken by the Participants or an action taken by the Employer.

(f) **Loss of coverage.** If the coverage under a Benefit is significantly curtailed or ceases during a Plan Year, affected Participants may revoke their elections of such Benefit and, in lieu thereof, elect to receive on a prospective basis coverage under another plan with similar coverage, or drop coverage prospectively if no similar coverage is offered.

(g) **Addition of a new benefit.** If, during the period of coverage, a new benefit package option or other coverage option is added, an existing benefit package option is significantly improved, or an existing benefit package option or other coverage option is eliminated, then the affected Participants may elect the newly-added option, or elect another option if an option has been eliminated prospectively and make corresponding election changes with respect to other benefit package options providing similar coverage. In addition, those Eligible Employees who are not participating in the Plan may opt to become Participants and elect the new or newly improved benefit package option.

(h) **Loss of coverage under certain other plans.** A Participant may make a prospective election change to add group health coverage for the Participant, the Participant's Spouse or Dependent if such individual loses group health coverage sponsored by a governmental or educational institution, including a state children's health insurance program under the Social Security Act, the Indian Health Service or a health program offered by an Indian tribal government, a state health benefits risk pool, or a foreign government group health plan.

(i) **Change of coverage due to change under certain other plans.** A Participant may make a prospective election change that is on account of and corresponds with a change made under the plan of a Spouse's, former Spouse's or Dependent's employer if (1) the cafeteria plan or other benefits plan of the Spouse's, former Spouse's or Dependent's employer permits its participants to make a change; or (2) the cafeteria plan permits participants to make an election for a period of coverage that is different from the period of coverage under the cafeteria plan of a Spouse's, former Spouse's or Dependent's employer.

## **ARTICLE VI BENEFITS AND RIGHTS**

### **6.1 CLAIM FOR BENEFITS**

(a) **Insurance claims.** Any claim for Benefits underwritten by Insurance Contract(s) shall be made to the Insurer. If the Insurer denies any claim, the Participant or beneficiary shall follow the Insurer's claims review procedure.

## **ARTICLE VII ADMINISTRATION**

### **7.1 PLAN ADMINISTRATION**

The operation of the Plan shall be under the supervision of the Administrator. It shall be a principal duty of the Administrator to see that the Plan is carried out in accordance with its terms, and for the exclusive benefit of Employees entitled to participate in the Plan. The Administrator shall have full power to administer the Plan in all of its details, subject, however, to the pertinent provisions of the Code. The Administrator's powers shall include, but shall not be limited to the following authority, in addition to all other powers provided by this Plan:

- (a) To make and enforce such rules and regulations as the Administrator deems necessary or proper for the efficient administration of the Plan;
- (b) To interpret the Plan, the Administrator's interpretations thereof in good faith to be final and conclusive on all persons claiming benefits by operation of the Plan;
- (c) To decide all questions concerning the Plan and the eligibility of any person to participate in the Plan and to receive benefits provided by operation of the Plan;
- (d) To reject elections or to limit contributions or Benefits for certain highly compensated participants if it deems such to be desirable in order to avoid discrimination under the Plan in violation of applicable provisions of the Code;
- (e) To provide Employees with a reasonable notification of their benefits available by operation of the Plan;
- (f) To appoint such agents, counsel, accountants, consultants, and actuaries as may be required to assist in administering the Plan.

Any procedure, discretionary act, interpretation or construction taken by the Administrator shall be done in a nondiscriminatory manner based upon uniform principles consistently applied and shall be consistent with the intent that the Plan shall continue to comply with the terms of Code Section 125 and the Treasury regulations thereunder.

### **7.2 EXAMINATION OF RECORDS**

The Administrator shall make available to each Participant, Eligible Employee and any other Employee of the Employer such records as pertain to their interest under the Plan for examination at reasonable times during normal business hours.

### **7.3 PAYMENT OF EXPENSES**

Any reasonable administrative expenses shall be paid by the Employer unless the Employer determines that administrative costs shall be borne by the Participants under the Plan or by any Trust Fund which may be established hereunder. The Administrator may impose reasonable conditions for payments, provided that such conditions shall not discriminate in favor of highly compensated employees.

### **7.4 INSURANCE CONTROL CLAUSE**

In the event of a conflict between the terms of this Plan and the terms of an Insurance Contract of an independent third party Insurer whose product is then being used in conjunction with this Plan, the terms of the Insurance Contract shall control as to those Participants receiving coverage under such Insurance Contract. For this purpose, the Insurance Contract shall control in defining the persons eligible for insurance, the dates of their eligibility, the conditions which must be satisfied to become insured, if any, the benefits Participants are entitled to and the circumstances under which insurance terminates.

### **7.5 INDEMNIFICATION OF ADMINISTRATOR**

The Employer agrees to indemnify and to defend to the fullest extent permitted by law any Employee serving as the Administrator or as a member of a committee designated as Administrator (including any Employee or former Employee who previously served as Administrator or as a member of such committee) against all liabilities, damages, costs and expenses (including attorney's fees and amounts paid in settlement of any claims approved by the Employer) occasioned by any act or omission to act in connection with the Plan, if such act or omission is in good faith.

## **ARTICLE VIII AMENDMENT OR TERMINATION OF PLAN**

### **8.1 AMENDMENT**

The Employer, at any time or from time to time, may amend any or all of the provisions of the Plan without the consent of any Employee or Participant. No amendment shall have the effect of modifying any benefit election of any Participant in effect at the time of such amendment, unless such amendment is made to comply with Federal, state or local laws, statutes or regulations.

### **8.2 TERMINATION**

The Employer is establishing this Plan with the intent that it will be maintained for an indefinite period of time. Notwithstanding the foregoing, the Employer reserves the right to terminate this Plan, in whole or in part, at any time. In the event the Plan is terminated, no further contributions shall be made. Benefits under any Insurance Contract shall be paid in accordance with the terms of the Insurance Contract.

## **ARTICLE IX MISCELLANEOUS**

### **9.1 PLAN INTERPRETATION**

All provisions of this Plan shall be interpreted and applied in a uniform, nondiscriminatory manner. This Plan shall be read in its entirety and not severed except as provided in Section 9.12.

### **9.2 GENDER AND NUMBER**

Wherever any words are used herein in the masculine, feminine or neuter gender, they shall be construed as though they were also used in another gender in all cases where they would so apply, and whenever any words are used herein in the singular or plural form, they shall be construed as though they were also used in the other form in all cases where they would so apply.

### **9.3 WRITTEN DOCUMENT**

This Plan, in conjunction with any separate written document which may be required by law, is intended to satisfy the written Plan requirement of Code Section 125 and any Treasury regulations thereunder relating to cafeteria plans.

### **9.4 EXCLUSIVE BENEFIT**

This Plan shall be maintained for the exclusive benefit of the Employees who participate in the Plan.

### **9.5 PARTICIPANT'S RIGHTS**

This Plan shall not be deemed to constitute an employment contract between the Employer and any Participant or to be a consideration or an inducement for the employment of any Participant or Employee. Nothing contained in this Plan shall be deemed to give any Participant or Employee the right to be retained in the service of the Employer or to interfere with the right of the Employer to discharge any Participant or Employee at any time regardless of the effect which such discharge shall have upon him as a Participant of this Plan.

### **9.6 ACTION BY THE EMPLOYER**

Whenever the Employer under the terms of the Plan is permitted or required to do or perform any act or matter or thing, it shall be done and performed by a person duly authorized by its legally constituted authority.

### **9.7 EMPLOYER'S PROTECTIVE CLAUSES**

(a) **Insurance purchase.** Upon the failure of either the Participant or the Employer to obtain the insurance contemplated by this Plan (whether as a result of negligence, gross neglect or otherwise), the Participant's Benefits shall be limited to the insurance premium(s), if any, that remained unpaid for the period in

question and the actual insurance proceeds, if any, received by the Employer or the Participant as a result of the Participant's claim.

(b) **Validity of insurance contract.** The Employer shall not be responsible for the validity of any Insurance Contract issued hereunder or for the failure on the part of the Insurer to make payments provided for under any Insurance Contract. Once insurance is applied for or obtained, the Employer shall not be liable for any loss which may result from the failure to pay Premiums to the extent Premium notices are not received by the Employer.

## **9.8 NO GUARANTEE OF TAX CONSEQUENCES**

Neither the Administrator nor the Employer makes any commitment or guarantee that any amounts paid to or for the benefit of a Participant under the Plan will be excludable from the Participant's gross income for federal or state income tax purposes, or that any other federal or state tax treatment will apply to or be available to any Participant. It shall be the obligation of each Participant to determine whether each payment under the Plan is excludable from the Participant's gross income for federal and state income tax purposes, and to notify the Employer if the Participant has reason to believe that any such payment is not so excludable. Notwithstanding the foregoing, the rights of Participants under this Plan shall be legally enforceable.

## **9.9 INDEMNIFICATION OF EMPLOYER BY PARTICIPANTS**

If any Participant receives one or more payments or reimbursements under the Plan that are not for a permitted Benefit, such Participant shall indemnify and reimburse the Employer for any liability it may incur for failure to withhold federal or state income tax or Social Security tax from such payments or reimbursements. However, such indemnification and reimbursement shall not exceed the amount of additional federal and state income tax (plus any penalties) that the Participant would have owed if the payments or reimbursements had been made to the Participant as regular cash compensation, plus the Participant's share of any Social Security tax that would have been paid on such compensation, less any such additional income and Social Security tax actually paid by the Participant.

## **9.10 FUNDING**

Unless otherwise required by law, contributions to the Plan need not be placed in trust or dedicated to a specific Benefit, but may instead be considered general assets of the Employer until the Premium Expense required under the Plan has been paid. Furthermore, and unless otherwise required by law, nothing herein shall be construed to require the Employer or the Administrator to maintain any fund or segregate any amount for the benefit of any Participant, and no Participant or other person shall have any claim against, right to, or security or other interest in, any fund, account or asset of the Employer from which any payment under the Plan may be made.

## **9.11 GOVERNING LAW**

This Plan is governed by the Code and the Treasury regulations issued thereunder (as they might be amended from time to time). In no event shall the Employer guarantee the favorable tax treatment sought by this Plan. To the extent not preempted by Federal law, the provisions of this Plan shall be construed, enforced and administered according to the laws of the State of Illinois.

## **9.12 SEVERABILITY**

If any provision of the Plan is held invalid or unenforceable, its invalidity or unenforceability shall not affect any other provisions of the Plan, and the Plan shall be construed and enforced as if such provision had not been included herein.

## **9.13 CAPTIONS**

The captions contained herein are inserted only as a matter of convenience and for reference, and in no way define, limit, enlarge or describe the scope or intent of the Plan, nor in any way shall affect the Plan or the construction of any provision thereof.

## **9.14 FAMILY AND MEDICAL LEAVE ACT (FMLA)**

Notwithstanding anything in the Plan to the contrary, in the event any benefit under this Plan becomes subject to the requirements of the Family and Medical Leave Act and regulations thereunder, this Plan shall be operated in accordance with Regulation 1.125-3.

## **9.15 UNIFORM SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)**

Notwithstanding any provision of this Plan to the contrary, contributions, benefits and service credit with respect to qualified military service shall be provided in accordance with the Uniform Services Employment And Reemployment Rights Act (USERRA) and the regulations thereunder.

IN WITNESS WHEREOF, this Plan document is hereby executed this  
\_\_\_\_\_ day of \_\_\_\_\_.

City of Berwyn

By \_\_\_\_\_  
EMPLOYER

*JM*  
The City of Berwyn



**Anthony T. Bertuca**  
City Attorney

**A Century of Progress with Pride**

August 10, 2010

To: Mayor Robert J. Lovero & City Council Members

From: Anthony Bertuca, City Attorney  
Nicole Campbell, City Traffic Engineer

Re: Ordinance for one-way streets – Clinton and Kenilworth Avenues

Council approved the conversion of Clinton Avenue to a one-way street southbound and Kenilworth Avenue to a one-way street northbound between Ogden Avenue and 34<sup>th</sup> Street during the previous City Council meeting. Attached is the updated ordinance for Council approval.

Sincerely,

*Anthony T. Bertuca*  
Anthony T. Bertuca, City Attorney

*Nicole Campbell*  
Nicole Campbell, Traffic Engineer

**THE CITY OF BERWYN**  
**COOK COUNTY, ILLINOIS**

---

**ORDINANCE**  
**NUMBER**

---

**AN ORDINANCE AMENDING CHAPTER 460.10 OF THE CODIFIED  
ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS  
REGARDING ONE-WAY STREETS DESIGNATIONS**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

ORDINANCE NO.: \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 460.10 OF THE CODIFIED ORDINANCES  
OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING ONE-WAY  
STREETS DESIGNATIONS**

**WHEREAS**, the City of Berwyn, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “Home Rule Powers”); and

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the “Corporate Authorities”) has adopted a Traffic Code, which has been amended from time to time; and

**WHEREAS**, the Corporate Authorities have further decided to enact the traffic regulations identified herein to improve the safety along Kenilworth and Clinton Avenues for motorists and pedestrians; and

**WHEREAS**, the Corporate Authorities determine that it is in the best interests of the residents of the City to amend the Codified Ordinances as set forth below.

**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 Powers, as follows:

**Section 1:** That the above recitals and legislative findings are incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Section 460.06, Temporary Traffic Regulations, is now void and shall be deleted in its entirety.

**Section 2:** Section 460.10 of the Codified Ordinances of the City of Berwyn, Cook County, Illinois is hereby amended to read as follows (with proposed additions underlined and proposed deletions ~~stricken~~):

#### **460.10 ONE-WAY STREETS DESIGNATED**

Whenever authorized one-way street signs have been erected on any street, it shall be unlawful for the driver of any vehicle to proceed along such street in a direction otherwise than indicated by such signs.

The following streets and parts of streets within the city are hereby designated as one-way traffic streets traveling in the direction indicated:

- (a) 23<sup>rd</sup> Street
  - (1) Westbound; Home Avenue to Oak Park Avenue.
  - (2) Eastbound; Wesley Avenue to Lombard Avenue.
- (b) 24<sup>th</sup> Street
  - (1) Eastbound; Home Avenue to Clinton Avenue.
- (c) 26<sup>th</sup> Place
  - (1) Westbound; East Avenue to Ridgeland Avenue.
- (d) 27<sup>th</sup> Street
  - (1) Eastbound; East Avenue to Ridgeland Avenue.
- (e) 27<sup>th</sup> Place
  - (1) Westbound; East Avenue to Ridgeland Avenue.
- (f) 28<sup>th</sup> Street
  - (1) Eastbound; East Avenue to Ridgeland Avenue.
- (g) 28<sup>th</sup> Place
  - (1) Westbound; East Avenue to Ridgeland Avenue.
- (h) 29<sup>th</sup> Street
  - (1) Westbound; Lombard Avenue to Cuyler Avenue.
- (i) 33<sup>rd</sup> Street
  - (1) Eastbound; Euclid Avenue to Lombard Avenue.
- (j) Maple Avenue
  - (1) Southbound; 13<sup>th</sup> Street to the northernmost alley north of Cermak Road, Ogden Avenue to Pershing Road.
  - (2) Northbound; 28<sup>th</sup> Street to Stanley Avenue.
- (k) Wisconsin Avenue
  - (1) Northbound; Roosevelt Road to Cermak Road, Ogden Avenue to Pershing Road.
  - (2) Southbound; 28<sup>th</sup> Street to Stanley Avenue.

- (l) Wenonah Avenue
  - (1) Southbound; alley south of Roosevelt Road to 15<sup>th</sup> Street, 16<sup>th</sup> Street to the alley north of Cermak Road, Ogden Avenue to Pershing Road.
- (m) Home Avenue
  - (1) Northbound; Roosevelt Road to 26<sup>th</sup> Street, Ogden Avenue to Pershing Road.
- (n) Clinton Avenue
  - (1) Southbound; 13<sup>th</sup> Street to 27<sup>th</sup> Street, 34<sup>th</sup> Street ~~Ogden Avenue to Pershing Road.~~
  - (2) Northbound; 31<sup>st</sup> Street to 32<sup>nd</sup> Street.
- (o) Kenilworth Avenue
  - (1) Northbound; Roosevelt Road to 27<sup>th</sup> Street, 34<sup>th</sup> Street ~~Ogden Avenue to Pershing Road.~~
- (p) Grove Avenue
  - (1) Southbound; 13<sup>th</sup> Street to 27<sup>th</sup> Street, Ogden Avenue to Pershing Road.
- (q) Euclid Avenue
  - (1) Northbound; Roosevelt Road to 28<sup>th</sup> Street, Windsor Avenue to the alley north of Pershing Road.
- (r) Wesley Avenue
  - (1) Southbound; 13<sup>th</sup> Street to 28<sup>th</sup> Street, Windsor Avenue to the alley north of Ogden Avenue, alley south of Ogden Avenue to Pershing Road.
- (s) Clarence Avenue
  - (1) Northbound; Roosevelt Road to 28<sup>th</sup> Street, Windsor Avenue to 38<sup>th</sup> Street.
- (t) Scoville Avenue
  - (1) Southbound; 13<sup>th</sup> Street to 26<sup>th</sup> Street.
  - (2) Northbound; Ogden Avenue to 37<sup>th</sup> Street.
- (u) Gunderson Avenue
  - (1) Northbound; 13<sup>th</sup> Street to 26<sup>th</sup> Street.
  - (2) Southbound; Windsor Avenue to 34<sup>th</sup> Street, Ogden Avenue to Pershing Road.
- (v) Elmwood Avenue
  - (1) Southbound; 13<sup>th</sup> Street to 26<sup>th</sup> Street.
  - (2) Northbound; alley south of Ogden Avenue to Pershing Road.

- (w) Cuyler Avenue
  - (1) Northbound; Roosevelt Road to 29<sup>th</sup> Street.
  - (2) Southbound; Park Avenue to the alley north of Ogden Avenue, Ogden Avenue to Pershing Road.
- (x) Highland Avenue
  - (1) Southbound; 13th Street to 29th Street.
  - (2) Northbound; Ogden Avenue to Pershing Road.
- (y) Harvey Avenue
  - (1) Northbound; Roosevelt Road to 29<sup>th</sup> Street.
  - (2) Southbound; Ogden Avenue to Pershing Road.
- (z) Lombard Avenue
  - (1) Southbound; Roosevelt Road to 29th Street, Ogden Avenue to Pershing Road.

**Section 3.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**Approved** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

The City of Berwyn



Nicole L. Campbell  
Traffic Engineer

**A Century of Progress with Pride**

August 10, 2010

To: Mayor Robert J. Lovero & City Council Members

From: Anthony Bertuca, City Attorney  
Nicole Campbell, City Traffic Engineer

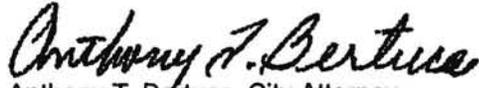
Re: Condominium Permit Parking

The condominium building located at 6441-47 18<sup>th</sup> Street has requested use of the 9 angle parking spaces in the parkway in front of the building, through the condo permit parking program. The condominium building has agreed with the terms and conditions included in the City ordinance (see attached).

Recommendation

Staff recommends that the condominium building is granted use of the parking spaces adjacent to the building through the condo permit program and approve the attached ordinance to support this change. Please forward onto Public Works for the order and installation of the necessary signage and the Collector's office for creation of the applications and permits.

Sincerely,

  
Anthony T. Bertuca, City Attorney

  
Nicole Campbell, Traffic Engineer

**The City of Berwyn**



**A Century of Progress with Pride**

## **City of Berwyn Condominium Parking Policy and Procedures**

### **Policy**

Permits are limited to the number of angled parking spaces available at the approved site.

City Council must approve the addition of permit parking.

Spaces can only be used by authorized permit holders.

Spaces will be signed accordingly.

Permits are \$175 a year and are subject to change.

Permits are for 24 hour parking only.

Permits are valid from January 1 through December 31 of each year.

Applications are available at the collector's office in city hall and require name, address and vehicle information.

Spots will be designated as tow zones.

Public Works will make an effort to street sweep and plow if cars are not parked.

### **Procedure**

The condominium association's president/representative must submit a petition with the names, numbers and addresses of the parties interested in using the permitted areas. The petition must include enough names to occupy all the spaces at the available site. If permits for all spaces are not sold, the City has the right to revise the limits of the permit parking area or revoke it completely. A petition is attached.

After the City Council approval of the ordinance for permit parking, the applications will be prepared. These applications are available at city hall and can be picked up by the condominium association's president/representative for distribution to the condo owners that will use the spots or each owner can come in individually. Completed applications with payments shall be submitted to the collector's office at city hall.

The entire process, including sign installation, is about 8 weeks.



## Petition for Condominium Permit Parking

We, the undersigned residents at the address of 6441, 6443, 6445, 6447 West 18th ST wish to request condominium permit parking for our building. Our names, addresses and signatures are included below, in support of this change and in understanding of the terms below.

We understand that the permits are 24 hour permits and the parking spaces can only be used by permit holders. Any non-permit holder that parks in a space signed as "Condo Permit Parking" will be ticketed and/or towed. We understand that the permit parking will only be considered by the city if the total number of signatures can account for the total number of parking spaces available. We understand that if permits for all spaces are not sold, the city has the right to revise or revoke the permit parking area.

Our signatures do not guarantee that condominium permit parking will be made available for our building. Our signatures indicate that there is a need for City consideration for such a restriction.

SIGNATURE	PRINT NAME	ADDRESS
	CARMITA CARRASCO	
	Rogelio Oseguera	
	JAVIER TORRES	
	Damian Garcia	
	Alfonso Rodriguez	
	Rosa G. Cunalata	
	Sharon Ato	
	Tim Buford	
	Pablo Ramirez	

This petition was circulated by (Name & Address):

**DOLEIS PROPERTY MANAGEMENT**  
 7847 W. OGDEN AVENUE  
 LYONS, ILLINOIS 60464  
 708-447-1000  
 FAX 708-447-1061

**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

---

**ORDINANCE**  
NUMBER

---

**AN ORDINANCE ESTABLISHING PERMIT PARKING AT CERTAIN  
LOCATIONS ALONG 18<sup>TH</sup> STREET AND AMENDING CHAPTER 484.09  
OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

ORDINANCE NO.: \_\_\_\_\_

**AN ORDINANCE ESTABLISHING PERMIT PARKING AT CERTAIN LOCATIONS ALONG  
18TH STREET AND AMENDING CHAPTER 484.09 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BERWYN**

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

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the "Corporate Authorities") have adopted a Traffic code, which has been amended from time to time;

**WHEREAS**, the Corporate Authorities find that the regulation of parking on its streets is a matter pertaining to its government and affairs; and

**WHEREAS**, the Corporate Authorities determine that it is in the best interests of the residents to provide for Permit Parking at certain locations along 18<sup>th</sup> Street due to the development of a multi-unit residential building in the surrounding area.

**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 Powers, as follows:

**Section 1:** That the above recitals and legislative findings are incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Section 484.09 of the Codified Ordinances of the City of Berwyn, Cook County, Illinois is hereby amended to read as follows (with proposed additions underlined and proposed deletions ~~stricken~~):

## § 484.09 CONDOMINIUM PERMIT PARKING

(A) Parking spaces throughout the City shall be designated as 24-hour permit parking only spaces, excepting street maintenance restrictions. The parking spaces shall be designated by signs clearly indicating these permitted areas.

(B) The locations are as follows:

- (1) North and south sides of 32<sup>nd</sup> Street from Harlem Avenue east to the first alley.
- (2) North side of 21<sup>st</sup> Street from Wesley Avenue west to the first alley.
- (3) South side of 18<sup>th</sup> Street from Elmwood Avenue west to the first alley.

**(4) North side of 18<sup>th</sup> Street from Gunderson Avenue east to the first alley.**

(C) The sign shall include the name of the street housing the permitted parking followed by "Condo Permit Parking Only".

(D) Permits for parking within the applicable areas described above shall be issued only in accordance with the following:

(1) Availability. Parking permits will be issued for each calendar year on an as-available basis by the City Collector upon application and payment of all applicable fees identified herein to any resident who is domiciled in the multi-unit building that is granted use of the applicable parking areas described above. The parking permits shall be valid from January 1 through December 31 of each calendar year and limited to one per household. No residential parking permit shall be issued to a vehicle with outstanding city parking tickets.

(2) Application. Applications for parking permits under this section shall be submitted to the City Collector on a form to be provided by the City Collector. The application shall include:

- a. Name, address and proof of residence;
- b. Vehicle make, city vehicle sticker number and license plate number; and
- c. Other information as the City Collector may reasonably require to implement this section.

(3) Fees. The yearly permit fee for a residential parking permit under this section shall be \$175. Permits may be offered for a quarterly rate of \$50 per quarter. All fees paid pursuant to this section shall be nonrefundable. Any permit fees shall be prorated after July 1 of each calendar year.

(4) Form. The parking permits shall be in placard form and in colors uniquely designated by the City Collector for each calendar year. The parking permits shall be numbered and shall state the date of expiration.

(E) The City Collector shall promulgate the Condominium Permit Parking rules and regulations to supplement the requirements set forth herein. A copy of the rules and regulations shall be available to permit holders in the City Collector's office and shall be made available to each permit holder when a renewal permit is issued if substantive changes are made to the rules and regulations.

(1) Parking permits shall be displayed on passenger-side dashboards of the vehicles.

(2) Residential parking permits shall be nontransferable.

(3) No person shall use a residential parking permit on a vehicle for which the permit was not issued.

(4) No person shall duplicate or attempt to duplicate the residential parking permit.

(5) Any permit issued pursuant to this section may be revoked for any violation herein.

(F) No vehicle which does not bear a properly displayed Condominium parking permit shall park in those spaces identified as such within the applicable areas as described above. All spaces shall be designated as tow zones.

**Section 3.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**Approved** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK



**A Century of Progress with Pride**

August 5, 2010

To: Mayor Robert J. Lovero & City Council Members

From: Robert Schiller, Public Works Director  
Nicole Campbell, City Traffic Engineer

Re: 16<sup>th</sup> Street Revised Street Sweeping and Parking Policies  
Referral Item I-4 3/9/10 Council Schedule of Street Cleaning for 16<sup>th</sup> Street

Currently, the 16<sup>th</sup> Street parking restrictions do not provide public works with adequate time for weekly street maintenance, and can be burdensome to the residents and the daily operations of businesses along 16<sup>th</sup> Street. Therefore, in efforts to accommodate residents and businesses while providing street maintenance, staff is proposing the following street cleaning schedules for 16<sup>th</sup> Street and the surrounding areas:

- North side of 16<sup>th</sup> Street, Tuesday, between 7am and 11am.
- South side of 16<sup>th</sup> Street, Wednesday, between 7am and 11am.
- No parking in the angled parking spaces for all intersecting north-south streets, Thursday, between 4am and 7am.

These changes would require that the parking restrictions between 7am and 9am on the south side and 3pm and 6pm on the north side of 16<sup>th</sup> Street to be removed.

A parking survey was sent to the businesses along 16<sup>th</sup> Street for input on the availability of parking in the area. In conjunction with the proposed street maintenance changes, staff is also proposing a uniform short-term parking policy in the business areas along 16<sup>th</sup> Street. 2 hour parking 7am – 5pm Monday through Saturday will be provided in the following areas:

- 1) South side of 16<sup>th</sup> Street from Maple Avenue to Wisconsin Avenue.
- 2) South side of 16<sup>th</sup> Street from Wenonah Avenue to Home Avenue.
- 3) East sides of Maple Avenue and Wenonah Avenue from 16<sup>th</sup> Street south to the alley.
- 4) North side of 16<sup>th</sup> Street from Wenonah Avenue to Home Avenue.
- 5) South side of 16<sup>th</sup> Street from Clinton Avenue to Grove Avenue.
- 6) North side of 16<sup>th</sup> Street from Oak Park Avenue to Euclid Avenue.
- 7) South side of 16<sup>th</sup> Street from the alley east of East Avenue to Gunderson Avenue.
- 8) South side of 16<sup>th</sup> Street from the alley east of Ridgeland Avenue to Cuyler Avenue.
- 9) West side of Gunderson Avenue from 16<sup>th</sup> Street south to the alley.
- 10) North side of 16<sup>th</sup> Street from Gunderson Avenue to Ridgeland Avenue.
- 11) North side of 16<sup>th</sup> Street from the alley east of Ridgeland Avenue to Cuyler Avenue.
- 12) East and West sides of Elmwood Avenue from 16<sup>th</sup> Street north to the alley.

No parking areas to remain:

- 1) Signalized intersections
- 2) North side of 16th Street between Wisconsin Avenue and Wenonah Avenue – fire lane at school.
- 3) North and south sides of 16th Street between Clarence and East Avenues – fire lane at station.
- 4) South side of 16th Street between Gunderson and Elmwood Avenues – fire lane at school.

Provide School Staff Parking from 7am – 4pm Monday through Friday in the following areas:

- 1) East side of Wisconsin Avenue from 16<sup>th</sup> Street north to the alley.
- 2) West side of Wenonah Avenue from the cul-de-sac north to the alley.

- 3) East side of Gunderson Avenue, angled parking north and south of 16<sup>th</sup> Street.
- 4) West side of Elmwood Avenue, angled parking south of 16<sup>th</sup> Street.

Provide a 15 minute loading zone from 9am to 9pm on the east side of Wesley Avenue from 16<sup>th</sup> Street south to the end of the Park District property.

Provide City Employee parking 7am-5pm, angled parking, east side of Elmwood Avenue south of 16<sup>th</sup> Street.

This parking plan has been reviewed by the resident alderman, North Berwyn Park District and North Berwyn School District.

**Recommendation**

Staff recommends that Council approves the parking plan as described above, the revised ordinances accompanying this plan, and the ordering and installation of signage necessary to facilitate these changes.

Sincerely,



Nicole Campbell, Traffic Engineer

~~The City of Berwyn~~



**Rafael Avila**  
7<sup>th</sup> Ward Alderman

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-8407 Fax: (708) 788-2875  
www.berwyn-il.gov

March 5, 2010

Hon. Mayor Robert J. Lovero and  
Members of the Berwyn City Council  
6700 West 26<sup>th</sup> Street  
Berwyn, IL 60402

**Re: Schedule of Street Cleaning for 16<sup>th</sup> Street:**

Ladies and Gentlemen:

Please be advised that I have received numerous complaints about the tremendous amount of debris along the parkway and street from Harlem to Oak Park on 16<sup>th</sup> Street. Upon my investigation, I noticed that currently there are no signs listing the schedule of street sweeping for 16<sup>th</sup> Street. I discovered that from Harlem Avenue to Lombard Street the process of street sweeping is to sweep when possible and only where there are no parked vehicles. This is the main reason why there is a lot of trash on this street.

Therefore, I respectfully ask that Public Works is instructed to place 16<sup>th</sup> Street from Harlem Avenue to Lombard Street on a regular "Street Cleaning" schedule and that the appropriate signs are order and erected in order to facilitate the street sweeping.

I ask that this request be put on the City Council Agenda for March 9, 2010 meeting and for your concurrence as well.

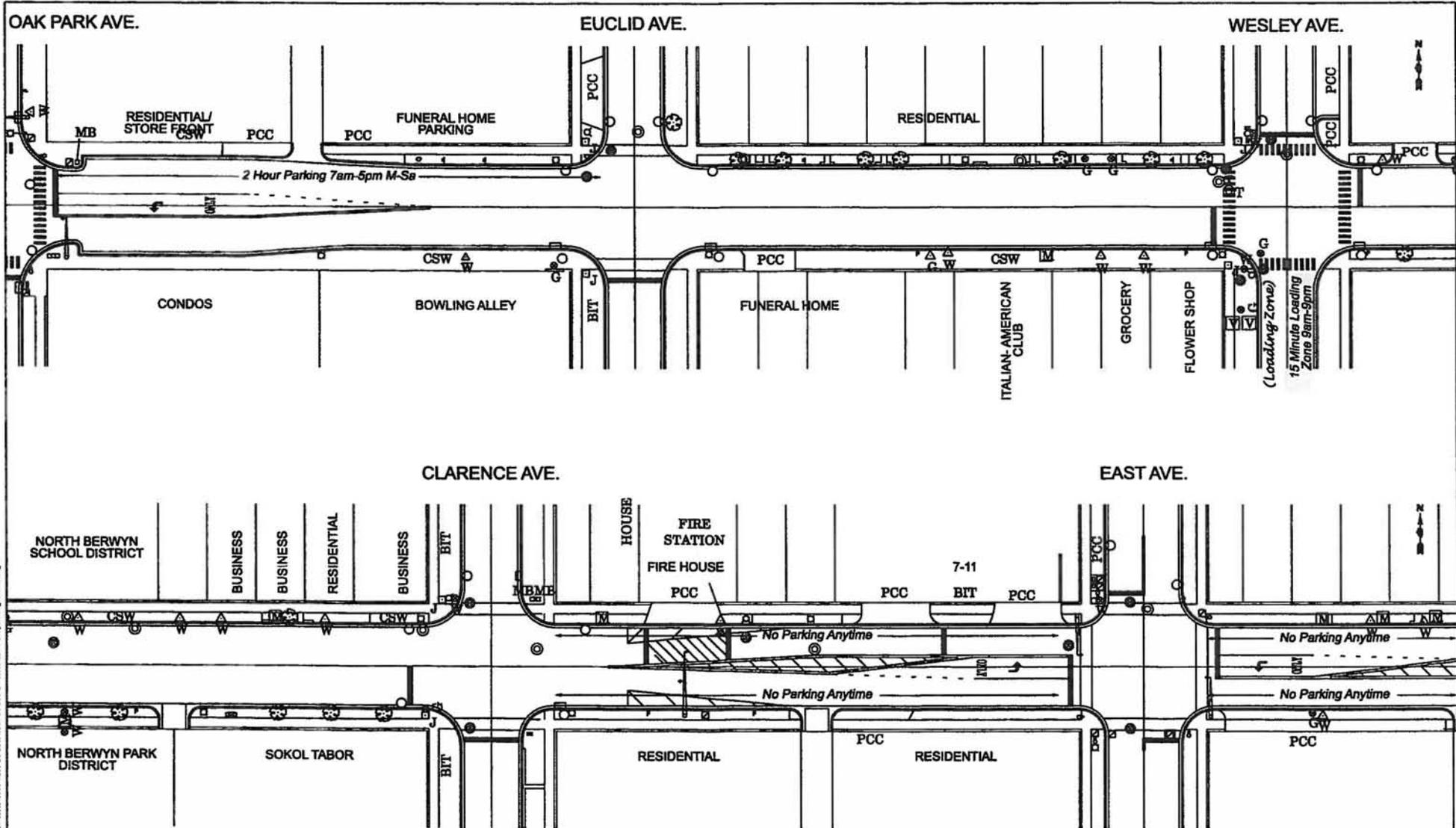
Sincerely,

---

Rafael Avila  
Alderman 7<sup>th</sup> Ward



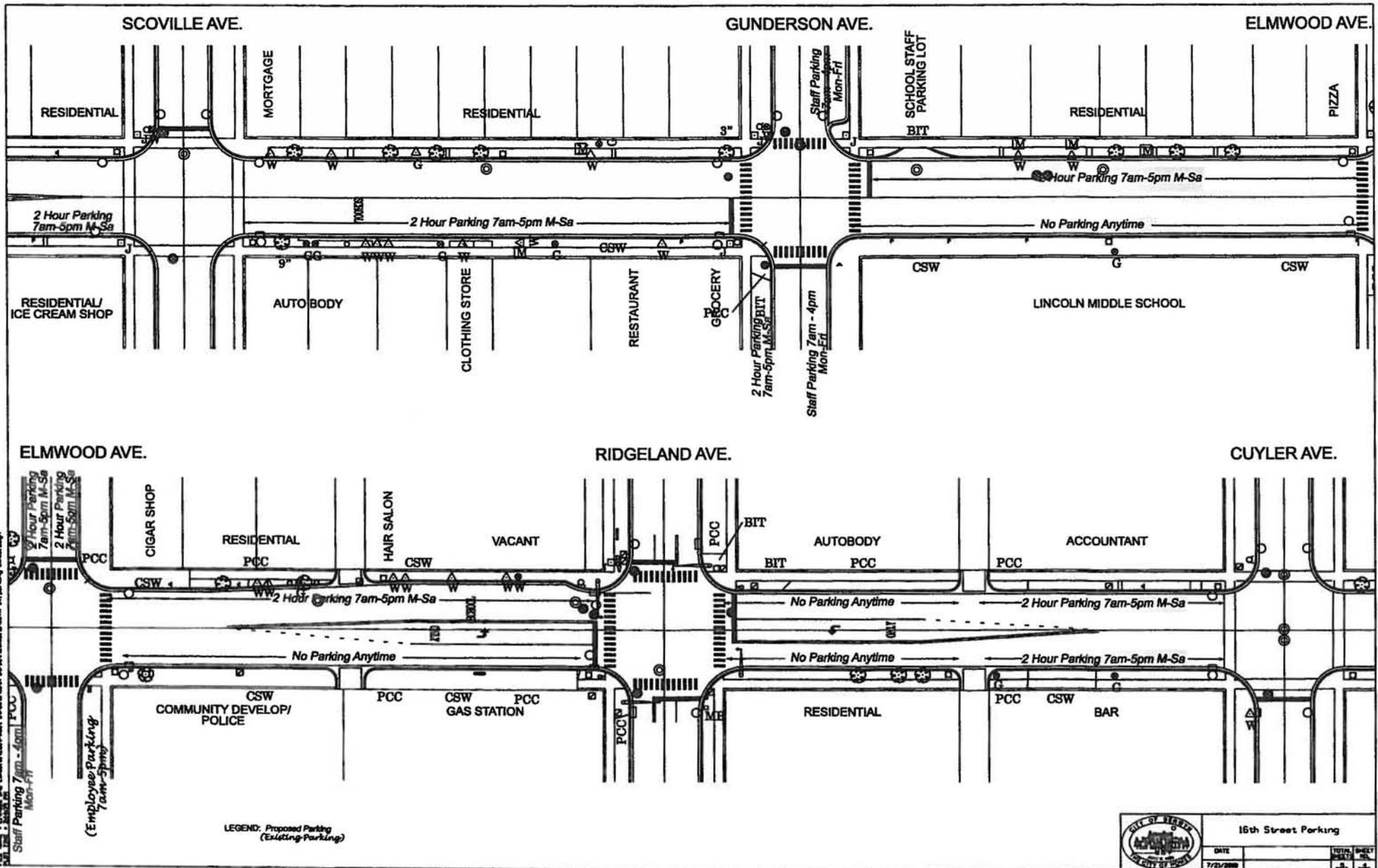




LEGEND: Proposed Parking  
(Existing Parking)

	16th Street Parking	
	DATE	TOTAL SHEET
7/25/2008	3	3

DATE: 7/25/2008  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT: 16th Street Parking



SCOVILLE AVE.

GUNDERSON AVE.

ELMWOOD AVE.

RESIDENTIAL

MORTGAGE

RESIDENTIAL

SCHOOL STAFF  
PARKING LOT

RESIDENTIAL

PIZZA

2 Hour Parking  
7am-5pm M-Sa

2 Hour Parking 7am-5pm M-Sa

No Parking Anytime

RESIDENTIAL/  
ICE CREAM SHOP

AUTOBODY

CLOTHING STORE

RESTAURANT

GROCERY

2 Hour Parking BIT  
7am-5pm M-Sa

Staff Parking 7am-4pm  
Mon-Fri

CSW

LINCOLN MIDDLE SCHOOL

CSW

ELMWOOD AVE.

RIDGELAND AVE.

CUYLER AVE.

2 Hour Parking  
7am-5pm M-Sa  
2 Hour Parking  
7am-5pm M-Sa  
2 Hour Parking  
7am-5pm M-Sa

CIGAR SHOP

RESIDENTIAL

HAIR SALON

VACANT

PCC

BIT

AUTOBODY

ACCOUNTANT

2 Hour Parking 7am-5pm M-Sa

No Parking Anytime

2 Hour Parking 7am-5pm M-Sa

No Parking Anytime

No Parking Anytime

2 Hour Parking 7am-5pm M-Sa

COMMUNITY DEVELOP/  
POLICE

PCC

CSW

GAS STATION

PCC

RESIDENTIAL

PCC

CSW

BAR

LEGEND: Proposed Parking  
(Existing Parking)

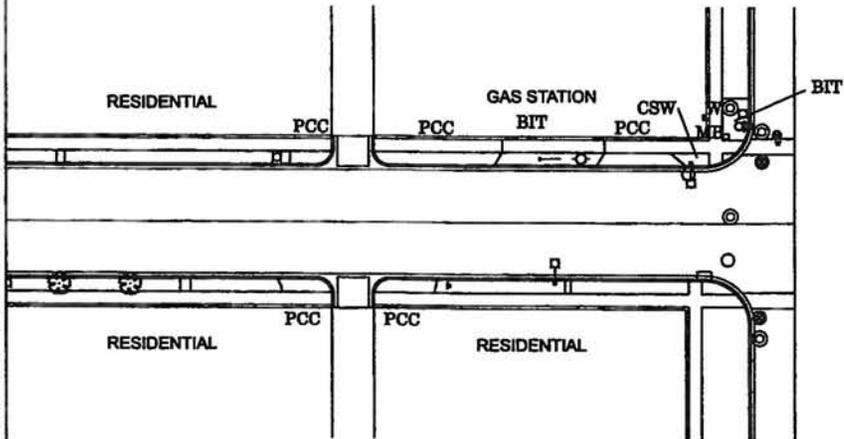
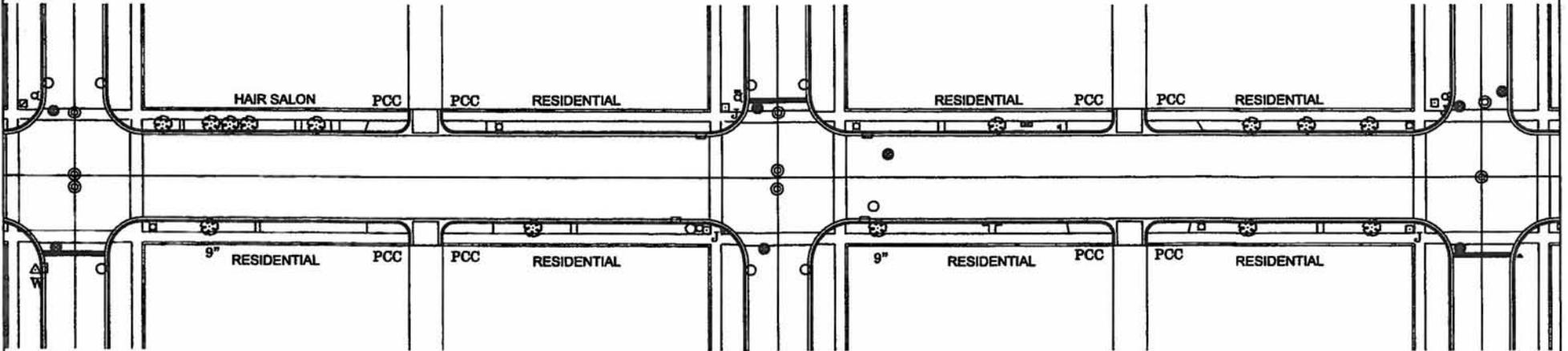


16th Street Parking

DATE	TOTAL SHEETS
7/2/2009	1

FILE NAME: I:\PROJECTS\16th Street Parking\16th Street Parking.dwg  
 PLOT DATE: 7/2/2009 10:00:00 AM  
 PLOT BY: J. B. BROWN  
 STAFF PARKING 7am-4pm Mon-Fri  
 (Employee Parking 7am-5pm)

CUYLER AVE.



	16th Street Parking	
	DATE	TOTAL SHEET NO.
	7/2/2008	5 5

2/10/2008  
C:\Users\james\Documents\16th Street Parking\16th Street Parking.dwg  
16th Street Parking.dwg  
16th Street Parking.dwg

The City of Berwyn



Anthony T. Bertuca  
City Attorney

J-10

**A Century of Progress with Pride**

August 10, 2010

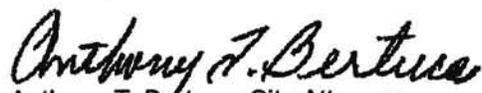
To: Mayor Robert J. Lovero & City Council Members

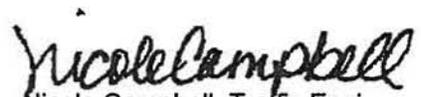
From: Anthony Bertuca, City Attorney  
Nicole Campbell, City Traffic Engineer

Re: Revisions to 480.05 Street Cleaning and Snow Emergency Parking Restrictions

Revisions to ordinance 480.05 Street Cleaning and Snow Emergency Parking Restrictions are required to reflect the changes proposed in the 16<sup>th</sup> Street - Street Sweeping and Parking Plan. Attached is the ordinance needed to facilitate these changes for Council review and approval.

Sincerely,

  
Anthony T. Bertuca, City Attorney

  
Nicole Campbell, Traffic Engineer

**THE CITY OF BERWYN**  
**COOK COUNTY, ILLINOIS**

---

**ORDINANCE**  
**NUMBER**

---

**AN ORDINANCE AMENDING CHAPTER 480.05 OF THE CODIFIED  
ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS  
REGARDING STREET CLEANING AND SNOW EMERGENCY PARKING  
RESTRICTIONS**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

**ORDINANCE NO.:** \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 480.05 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING STREET CLEANING AND SNOW EMERGENCY PARKING RESTRICTIONS**

**WHEREAS**, the City of Berwyn, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “Home Rule Powers”); and

**WHEREAS**, the City regulates parking restrictions to enable maintenance procedures along City streets pursuant to Chapter 480.05 of its Codified Ordinances; and

**WHEREAS**, the City has found that the current regulations governing parking to enable maintenance procedures along 16<sup>th</sup> Street are inadequate; and

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the “Corporate Authorities”) has decided to modify Chapter 480.05 to allow for proper street maintenance activities along 16<sup>th</sup> Street and the parking areas adjacent to; and

**WHEREAS**, the Corporate Authorities determine that it is in the best interests of the residents of the City to amend the Codified Ordinances as set forth below.

**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 Powers, as follows:

**Section 1:** That the above recitals and legislative findings are incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Sections 480.05 (D) and (E), Chapter 480, Street Cleaning and Snow Emergency Parking Restrictions is hereby amended to read as follows (with proposed additions underlined and proposed deletions ~~stricken~~):

**480.05 STREET CLEANING AND SNOW EMERGENCY PARKING RESTRICTIONS**

(i) From January 1 through December 31, inclusive, between 2:00 a.m. and 5:00 a.m. on Wednesdays on the south side of Windsor Avenue from Harlem Avenue to Oak Park Avenue;

(j) From January 1 through December 31, inclusive, between 2:00 a.m. and 5:00 a.m. on Tuesdays on the north side of Stanley Avenue from Harlem Avenue to Ridgeland Avenue; and

**(k) From January 1 through December 31, inclusive, between 7:00 a.m. and 11:00 a.m. on Tuesdays on the north side of 16<sup>th</sup> Street from Harlem Avenue to Lombard Avenue; and**

**(l) From January 1 through December 31, inclusive, between 7:00 a.m. and 11:00 a.m. on Wednesdays on the south side of 16<sup>th</sup> Street from Harlem Avenue to Lombard Avenue; and**

~~(k)~~**(m)** On all other east/west streets not specified in this division as follows:

1. On Mondays on the south side on odd dates; and
2. On Mondays on the north side on even dates.

(E) *Further restrictions.* No person shall stop, stand, park or leave unattended any motor vehicle under the following conditions:

(1) Between 3:00 a.m. and 6:00 a.m. seven days a week, including holidays, in the following locations:

(a) Roosevelt Road, running from Lombard Avenue west to Harlem Avenue

(b) Cermak Road from Harlem Avenue to Lombard Avenue.

(c) On Maple, Wisconsin, Wenonah, Home, Clinton, Kenilworth and Grove Avenues from Cermak Road north to the northern most alley.

(d) On Euclid, Wesley, Clarence, Scoville, Cuyler and Harvey Avenues from Cermak Road north to the alley.

(e) On the east side of Home Avenue from Cermak Road south to the alley.

(f) On Clinton, Kenilworth, Grove, Scoville, Cuyler, Highland and Harvey Avenues from Cermak Road south to the alley.

(g) On the west side of Lombard Avenue from Cermak Road south to the alley.

~~(2) Between 3:00 a.m. and 6:00 a.m. on the north side and between 7:00 a.m. and 9:00 a.m. on the south side of Sixteenth Street and Twenty-Sixth Street, running from Lombard Avenue west to Harlem Avenue.~~

**(2)** Between 3:00 a.m. and 6:00 a.m. on the days and at the locations specified below:

(a) On Thursdays on the west side of Highland Avenue, from Cermak Road north to the Vacin Fairway.

(b) On Tuesdays on the east side of Highland Avenue, from Cermak Road north to the Vacin Fairway.

**(3)** **Between 4:00 a.m. and 7:00 a.m. on Thursdays at the locations specified below:**

**(a)** **East side of Maple Avenue from 16th Street south to the alley.**

**(b)** **East side of Wisconsin Avenue from 16th Street north to the alley.**

**(c)** **West side of Wenonah Avenue from the cul-de-sac at 16th Street north to the alley.**

**(d)** **East side of Wenonah Avenue from 16th Street south to the alley.**

**(e)** **East and west sides of Euclid Avenue south of 16th Street to the alley.**

**(f)** **East side of Wesley Avenue north of 16th Street to the alley.**

**(g)** **East and west sides of Wesley Avenue south of 16th Street to the alley.**

**(h)** **West side of Clarence Avenue south of 16th Street to the driveway.**

**(i)** **East and west sides of Gunderson Avenue at the angled parking located north and south of 16th Street.**

**(j)** **East and west sides of Elmwood Avenue at the angled parking located south of 16th Street.**

**(k)** **East and west sides of Elmwood Avenue north of 16th Street to the alley.**

**Section 3.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**Approved** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

*S-11*  
The City of Berwyn



**Anthony T. Bertuca**  
City Attorney

**A Century of Progress with Pride**

August 10, 2010

To: Mayor Robert J. Lovero & City Council Members

From: Anthony Bertuca, City Attorney  
Nicole Campbell, City Traffic Engineer

Re: Revisions to 480.07 Limited Parking

Revisions to ordinance 480.07 Limited Parking are required to reflect the changes proposed in the 16<sup>th</sup> Street - Street Sweeping and Parking Plan. Attached is the ordinance needed to facilitate these changes for Council review and approval.

Sincerely,

*Anthony T. Bertuca*  
Anthony T. Bertuca, City Attorney

*Nicole Campbell*  
Nicole Campbell, Traffic Engineer

**THE CITY OF BERWYN**  
**COOK COUNTY, ILLINOIS**

---

**ORDINANCE**  
**NUMBER**

---

**AN ORDINANCE AMENDING CHAPTER 480.07 OF THE CODIFIED  
ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS  
REGARDING LIMITED PARKING**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

---

**Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn, Illinois on  
August 10, 2010**

**ORDINANCE NO.:** \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 480.07 OF THE CODIFIED ORDINANCES  
OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING LIMITED  
PARKING**

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

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the "Corporate Authorities") regulates short term parking in the City pursuant to Chapter 480.07 of its Codified Ordinances; and

**WHEREAS**, the Corporate Authorities recognize that uniform short term parking regulations are necessary within a business district; and

**WHEREAS**, the Corporate Authorities determine that it is in the best interests of the local businesses and residents of the City to amend the Codified Ordinances as set forth below.

**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 Powers, as follows:

**Section 1:** Section 480.07, Chapter 480, Limited Parking is hereby amended to read as follows (with proposed additions underlined and proposed deletions ~~stricken~~):

**Section 2:** 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.

**480.07 LIMITED PARKING**

~~(a) Wesley Avenue from 16th Street south to the southern property line of the North Berwyn Park District Community Center shall be designated as "15 Minute Parking" from 9:00 a.m. to 9:00 p.m.~~

~~(b) Two parking spots on the south side of 16th Street and directly west of Wisconsin Avenue shall be designated as "30 Minute Parking" from the hours of 12:00p.m. to 5:00p.m. on Thursday, Friday and Saturday of each week.~~

**(a)** Parking on the east and west sides of Harvey Avenue, from 26th Street north to the southwest and southeast corners of the first alley to intersect Harvey Avenue to the north of 26th Street, shall be designated as "90 Minute Parking" from the hours of 8:00a.m. to 5:00p.m. on Monday through, and including, Saturday of each week.

**(b)** Two (2) Hour Parking from 7:00 a.m. to 5:00 p.m., Monday through Friday, shall be designated in the following locations:

- 1) South side of Windsor Avenue, from the east corner of Home Avenue to the west corner of Oak Park Avenue.
- 2) North side of Stanley Avenue from Harlem to Maple Avenues, Clinton to Euclid Avenues and Wesley to Ridgeland Avenues.
- 3) East side of Clinton Avenue from Stanley Avenue to the first alley north.
- 4) East side of Kenilworth Avenue from Windsor Avenue to the first alley south. Kenilworth Avenue from Stanley Avenue to the first alley north.
- 5) East side of Grove Avenue from Windsor Avenue to the alley located south of 3303 Grove Avenue and from the driveway located at 3347 Grove Avenue south to the driveway north of 34<sup>th</sup> Street. West side of Grove Avenue; from the north property line of 3320 Grove Avenue north to the alley, and from Stanley Avenue to 32nd Street.
- 6) West side of Euclid Avenue from Stanley Avenue to the first alley north.
- 7) 32nd Street from the alley east of Kenilworth Avenue to Grove Avenue.
- 8) 34th Street from Grove Avenue to Oak Park Avenue.

**(c)** Two (2) Hour Parking from 7:00 a.m. to 5:00 p.m., Monday through Saturday, shall be designated in the following locations:

- (1) South side of 16th Street from Maple Avenue to Wisconsin Avenue.**

- (2) South side of 16th Street from Wenonah Avenue to Home Avenue.**
- (3) East sides of Maple Avenue and Wenonah Avenue from 16th Street south to the alley.**
- (4) North side of 16th Street from Wenonah Avenue to Home Avenue.**
- (5) South side of 16th Street from Clinton Avenue to Grove Avenue.**
- (6) North side of 16th Street from Oak Park Avenue to Euclid Avenue.**
- (7) South side of 16th Street from the alley east of East Avenue to Gunderson Avenue.**
- (8) South side of 16th Street from the alley east of Ridgeland Avenue to Cuyler Avenue.**
- (9) West side of Gunderson Avenue from 16th Street south to the alley.**
- (10) North side of 16th Street from Gunderson Avenue to Ridgeland Avenue.**
- (11) North side of 16th Street from the alley east of Ridgeland Avenue to Cuyler Avenue.**
- (12) East and West sides of Elmwood Avenue from 16th Street north to the alley.**
- (13) South side of 32nd Street from Grove Avenue to Oak Park Avenue.**
- (14) West side of Oak Park Avenue from the southern property line of 3300 Oak Park Avenue to 31st Street. East side from Stanley Avenue to 31st Street.**

**(d)** Two (2) Hour Parking from 9:00 a.m. to 9:00 p.m., Monday through Friday and 9:00 a.m. to 7:00 p.m. on Saturday, shall be designated in the following locations:

- 1) North side of Cermak Road from Harlem Avenue to Lombard Avenue.
- 2) South side of Cermak Road from Home Avenue to Wesley Avenue.
- 3) South side of Cermak Road from Clarence Avenue to Lombard Avenue.
- 4) Vacin Fairway from Harlem Avenue to Maple Avenue and from Grove Avenue to Lombard Avenue.

- 5) On Maple, Wisconsin, Wenonah, Home, Clinton, Kenilworth and Grove Avenues from Cermak Road north to the northern most alley.
- 6) On the east side of Home Avenue from Cermak Road south to the alley.
- 7) On Clinton, Kenilworth and Grove Avenues from Cermak Road south to the alley.
- 8) West side of Wesley Avenue from Cermak Road south to the alley.
- 9) On Clarence Avenue from Cermak Road south to the alley except vehicles displaying zone 4-1 permit.
- 10) On Scoville, Gunderson, Elmwood, Cuyler, Highland and Harvey Avenues from Cermak Road south to the alley.
- 11) On the west side of Lombard Avenue from Cermak Road south to the alley.

**Section 3.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**Approved** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

The City of Berwyn



Anthony T. Bertuca  
City Attorney

J-12

**A Century of Progress with Pride**

August 10, 2010

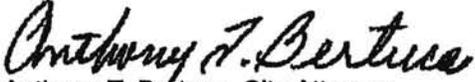
To: Mayor Robert J. Lovero & City Council Members

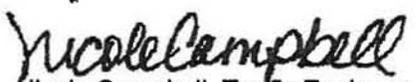
From: Anthony Bertuca, City Attorney  
Nicole Campbell, City Traffic Engineer

Re: Revisions to 480.08 Prohibited Parking

Revisions to ordinance 480.08 Prohibited Parking are required to reflect the changes proposed in the 16<sup>th</sup> Street - Street Sweeping and Parking Plan. Attached is the ordinance needed to facilitate these changes for Council review and approval.

Sincerely,

  
Anthony T. Bertuca, City Attorney

  
Nicole Campbell, Traffic Engineer

**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

---

**ORDINANCE**  
NUMBER

---

**AN ORDINANCE AMENDING CHAPTER 480.08 OF THE TRAFFIC  
CODE OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN  
REGARDING PROHIBITED PARKING**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

ORDINANCE NO.: \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 480.08 OF THE TRAFFIC CODE OF THE  
CODIFIED ORDINANCES OF THE CITY OF BERWYN REGARDING PROHIBITED  
PARKING**

**WHEREAS**, the City of Berwyn, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “Home Rule Powers”); and

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the “Corporate Authorities”) has adopted a Traffic Code, which has been amended from time to time; and

**WHEREAS**, the Corporate Authorities recognize that parking regulations are important to the fabric and safety of the community and must be upheld; and

**WHEREAS**, the Corporate Authorities determine that it is in the best interests of the residents of the City to amend the Codified Ordinances as set forth below.

**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 Powers, as follows:

**Section 1:** That the above recitals and legislative findings are incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Section 480.08 of the Codified Ordinances of the City of Berwyn, Cook County, Illinois is hereby amended to read as follows (with proposed additions underlined and proposed deletions ~~stricken~~):

## 480.08 PROHIBITED PARKING

In addition to the portions of the Illinois vehicle Code, adopted and listed under section 420.01 Portions Adopted, parking is prohibited at the times, days and locations as contained in this section.

(a) Parking Prohibited at all times and days:

- (1) North side of Riverside Drive from the Library Parking Lot west to Harlem Avenue.
- (2) South side of Riverside Drive from Harlem Avenue to Maple Avenue.
- (3) East side of Ridgeland Avenue starting at the alley south of Roosevelt Road continuing 30 feet south of the alley.
- (4) North side of 35th Street from Ridgeland Avenue to Lombard Avenue.
- (5) South side of 35th Street from Ridgeland Avenue east to the first alley.
- (6) North side of 16th Street between Wisconsin Avenue and Wenonah Avenue.**
- (7) North and south sides of 16th Street between Clarence and East Avenues.**
- (8) South side of 16th Street between Gunderson and Elmwood Avenues.**

**Section 3.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**Approved** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

The City of Berwyn



Anthony T. Bertuca  
City Attorney

J-13

**A Century of Progress with Pride**

August 10, 2010

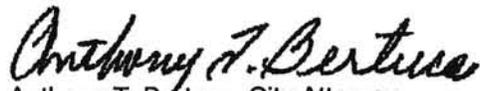
To: Mayor Robert J. Lovero & City Council Members

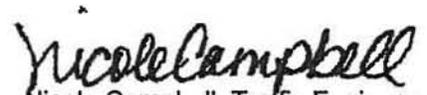
From: Anthony Bertuca, City Attorney  
Nicole Campbell, City Traffic Engineer

Re: Revisions to 480.10 Curb Loading Zones

Revisions to ordinance 480.10 Curb Loading Zones are required to reflect the changes proposed in the 16<sup>th</sup> Street - Street Sweeping and Parking Plan. Attached is the ordinance needed to facilitate these changes for Council review and approval.

Sincerely,

  
Anthony T. Bertuca, City Attorney

  
Nicole Campbell, Traffic Engineer

**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

---

**ORDINANCE**  
NUMBER

---

**AN ORDINANCE AMENDING CHAPTER 480.10 OF THE CODIFIED  
ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS  
REGARDING CURB LOADING ZONES**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

---

**Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn, Illinois on  
August 10, 2010**

**ORDINANCE NO.:** \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 480.10 OF THE CODIFIED ORDINANCES  
OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING CURB  
LOADING ZONES**

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

**WHEREAS**, the City regulates curb loading zone procedures along City streets pursuant to Chapter 480.10 of its Codified Ordinances; and

**WHEREAS**, the Corporate Authorities recognize that a loading area will aid the daily operations of the facility at the North Berwyn Park District; and

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the "Corporate Authorities") has decided to modify Chapter 480.10 to allow for a loading area; and

**WHEREAS**, the Corporate Authorities determine that it is in the best interests of the residents of the City to amend the Codified Ordinances as set forth below.

**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 Powers, as follows:

**Section 1:** That the above recitals and legislative findings are incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Sections 480.10 is hereby amended to read as follows (with proposed additions underlined and proposed deletions ~~stricken~~):

## 480.10 Curb Loading Zones

The Director of Public Works is authorized to determine the location of loading zones and place and maintain appropriate signs indicating the same, stating the hours during which the provisions of this section are applicable.

(A) It shall be unlawful to park any vehicle in any place designated as a curb loading zone during the days of the week or hours of the day when the restrictions applicable to such zones are in effect, except for the expeditious loading and unloading of passengers or the delivery of goods and services. Vehicles occupying these zones for this purpose are limited to a period not to exceed thirty (30) minutes, unless posted otherwise, and must have their hazard lights flashing at all times while the vehicle is stopped in a loading zone.

(B) The Director shall not designate any loading zone upon the request of any person unless the person makes application for a permit for the zone and for two signs to indicate the ends of each zone. Application for a loading zone shall be made to the City Collector's Office on forms provided for that purpose. The application shall indicate the applicant's name, address, telephone number and any information the City Collector's Office may require. Upon receipt of the application the director shall review the location and determine that the installation of a loading zone will not negatively impact parking, traffic or the current conditions present at the requested location. The City, upon granting a permit and issuing the signs, shall collect from the applicant and deposit in the City Treasury a service fee of \$100 per year. The City may impose conditions upon the use of the signs and for reimbursement to the City for the value thereof in the event of their loss or damage and for the return of the signs in the event of their misuse or upon the expiration of the permit. Every such permit shall expire on December 31 of each year.

Vehicles in violation of this section are subject to citation and towing at the owner's expense.

**(a) 15 Minute Loading Areas, shall be designated in the following areas, under the following conditions:**

**(1) Between 9:00 a.m. and 9:00 p.m. on Wesley Avenue from 16th Street south to the southern property line of the North Berwyn Park District Community Center.**

**Section 3.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**Approved** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

**The City of Berwyn**



**Anthony T. Bertuca**  
City Attorney

J-14

**A Century of Progress with Pride**

August 10, 2010

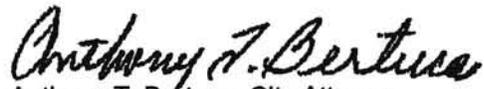
To: Mayor Robert J. Lovero & City Council Members

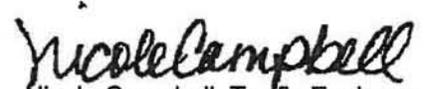
From: Anthony Bertuca, City Attorney  
Nicole Campbell, City Traffic Engineer

Re: Revisions to 484.04A School District and Church Special Parking

Revisions to ordinance 484.04A School District and Church Special Parking are required to reflect the changes proposed in the 16<sup>th</sup> Street - Street Sweeping and Parking Plan. Attached is the ordinance needed to facilitate these changes for Council review and approval.

Sincerely,

  
Anthony T. Bertuca, City Attorney

  
Nicole Campbell, Traffic Engineer

**THE CITY OF BERWYN**  
**COOK COUNTY, ILLINOIS**

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**ORDINANCE**  
**NUMBER**

---

**AN ORDINANCE AMENDING CHAPTER 484.04A OF THE CODIFIED  
ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS  
REGARDING SCHOOL DISTRICT PARKING**

---

**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

ORDINANCE NO.: \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 484.04A OF THE CODIFIED ORDINANCES  
OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING SCHOOL  
DISTRICT PARKING**

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

**WHEREAS**, the City provides and regulates parking for the staff members of various agencies within the City pursuant to Chapter 484.04A of its Codified Ordinances; and

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the "Corporate Authorities") has decided to modify Chapter 484.04A to allow for designated street parking for the staff of the school districts and City; and

**WHEREAS**, the Corporate Authorities determine that it is in the best interests of the residents of the City to amend the Codified Ordinances as set forth below.

**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 Powers, as follows:

**Section 1:** That the above recitals and legislative findings are incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Section 484.04A of the Codified Ordinances is hereby amended (with proposed additions underlined and proposed deletions ~~stricken~~) and with the additions of Sections 484.04A (j) through (l) as included herein:

**484.04A SCHOOL DISTRICT, AND CHURCH AND CITY EMPLOYEE SPECIAL VISITOR PARKING**

**(i) The following areas shall be designated as school staff parking between the hours of 7:00 a.m. and 4:00 p.m. Monday through Friday. These areas shall be signed accordingly and vehicles using these spaces will require permits as described herein.**

- (1) East side of Wisconsin Avenue from 16th Street north to the alley.**
- (2) West side of Wenonah Avenue from the cul-de-sac north of 16th Street north to the alley.**
- (3) West side of Scoville Avenue from 26th Street north to the alley.**
- (4) East side of Gunderson Avenue, angled parking north and south of 16th Street.**
- (5) West side of Elmwood Avenue, angled parking south of 16th Street.**
- (6) West side of Ridgeland Avenue from 15th Street north to the school's northern boundary line.**
- (7) West side of Highland Avenue from 25th Street south to the school's southern boundary line.**
- (8) North side of 15th Street from Oak Park Avenue east to the alley.**
- (9) South side of 25th Street from Cuyler Avenue to Highland Avenue.**
- (10) South side of 31<sup>st</sup> Street from Clinton Avenue to Kenilworth Avenue.**

**(k) The following areas shall be designated as City staff parking between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday. These areas shall be signed accordingly and vehicles using these spaces will require permits as described herein.**

- (1) East side of Elmwood Avenue from 16th Street south to the southern boundary line.**

**(l) The following areas shall be designated as City staff parking between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. These areas shall be signed accordingly and vehicles using these spaces will require permits as described herein.**

- (1) East side of Euclid Avenue from 26th Street south to the alley.**
- (2) West side of Wesley Avenue from 26th Street south to the alley.**

**Section 3.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
<b>TOTAL</b>				

**Approved** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK



## **K. Consent Agenda**



**The City of Berwyn**



**Nona N. Chapman**  
1<sup>st</sup> Ward Alderman

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6401 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

August 5, 2010

Mayor Robert J. Lovero  
Members of the City Council  
City of Berwyn

SUBJECT: Payroll August 4, 2010

Ladies and Gentlemen:

The current payroll has been prepared for review by the finance department and is ready for approval at the August 10, 2010 meeting.

Payroll: August 4, 2010 in the amount of \$910,945.62.

Respectfully Submitted,

Nona N. Chapman  
Budget Committee Chairman

K-2

The City of Berwyn



Nona N. Chapman  
1<sup>st</sup> Ward Alderman

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6401 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

August 5, 2010

Mayor Robert J. Lovero  
Members of the City Council  
City of Berwyn

SUBJECT: Payables August 10, 2010 meeting

Ladies and Gentlemen:

The current payables were prepared for review by the finance department and are ready for approval at the August 10, 2010 meeting.

Total Payables: August 10, 2010 in the amount of \$1,309,551.07.

Respectfully Submitted,

A handwritten signature in black ink that reads "Nona N. Chapman". The signature is written in a cursive, flowing style.

Nona N. Chapman  
Budget Committee Chairman

CITY of BERWYN  
**Payment Register**

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
01 - General Cash									
<u>Check</u>									
8332	07/27/2010	Open			Accounts Payable	U.S. Postmaster	\$4,000.00		
8333	08/10/2010	Open			Accounts Payable	1st Source America	\$1,780.26		
8334	08/10/2010	Open			Accounts Payable	A American Veterinary Hospital	\$3,685.00		
8335	08/10/2010	Open			Accounts Payable	Abarr Sales, Inc.	\$144.00		
8336	08/10/2010	Open			Accounts Payable	ABC Automotive Electronics	\$848.60		
8337	08/10/2010	Open			Accounts Payable	ABC Commercial Maintenance Services,Inc.	\$4,185.00		
8338	08/10/2010	Open			Accounts Payable	AETNA - U.S. Healthcare	\$26,249.09		
8339	08/10/2010	Open			Accounts Payable	AIR ONE EQUIPMENT,INC.	\$3,847.55		
8340	08/10/2010	Open			Accounts Payable	AM ELECTRICAL ENGINEERING & DESIGN	\$360.00		
8341	08/10/2010	Open			Accounts Payable	AmAudit	\$228.43		
8342	08/10/2010	Open			Accounts Payable	AMAZON.COM	\$855.81		
8343	08/10/2010	Open			Accounts Payable	AMERICAN LIBRARY ASSOCIATION	\$55.80		
8344	08/10/2010	Open			Accounts Payable	Aqua Chill of Chicago # 22	\$140.00		
8345	08/10/2010	Open			Accounts Payable	AT & T Global Services, Inc.	\$884.02		
8346	08/10/2010	Open			Accounts Payable	AT&T	\$14,168.39		
8347	08/10/2010	Open			Accounts Payable	AT&T	\$5,212.12		
8348	08/10/2010	Open			Accounts Payable	AT&T	\$281.67		
8349	08/10/2010	Open			Accounts Payable	B & B Wholesale Distributors	\$158.68		
8350	08/10/2010	Open			Accounts Payable	B. DAVIDS LANDSCAPING	\$2,005.00		
8351	08/10/2010	Open			Accounts Payable	Baker & Taylor, Inc.	\$119.87		

## CITY of BERWYN

**Payment Register**

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
8352	08/10/2010	Open			Accounts Payable	BARBARA RUSSO	\$500.00		
8353	08/10/2010	Open			Accounts Payable	BBC AUDIOBOOKS AMERICA	\$450.53		
8354	08/10/2010	Open			Accounts Payable	Becky Spratford	\$6.65		
8355	08/10/2010	Open			Accounts Payable	Benistar/Hartford	\$671.06		
8356	08/10/2010	Open			Accounts Payable	BERWYN ACE HARDWARE	\$43.93		
8357	08/10/2010	Open			Accounts Payable	BERWYN DEVELOPMENT CORP	\$742.50		
8358	08/10/2010	Open			Accounts Payable	BERWYN RECREATION DEPT.	\$400.00		
8359	08/10/2010	Open			Accounts Payable	BERWYN WESTERN PLBG. & HEATING	\$290.00		
8360	08/10/2010	Open			Accounts Payable	Blue Cross / Blue Shield of Illinois	\$542,139.99		
8361	08/10/2010	Open			Accounts Payable	BNi Building News	\$91.20		
8362	08/10/2010	Open			Accounts Payable	BRAD & NOAL STAUBUS	\$1,475.00		
8363	08/10/2010	Open			Accounts Payable	Brancato Landscaping	\$1,830.00		
8364	08/10/2010	Open			Accounts Payable	Bronze Memorial Co.	\$356.00		
8365	08/10/2010	Open			Accounts Payable	CARLOS GARZA	\$28.92		
8366	08/10/2010	Open			Accounts Payable	CATHOLIC CHARITIES OF THE ARCHDIOCESE OF CHGO	\$4,270.11		
8367	08/10/2010	Open			Accounts Payable	CDW GOVERNMENT, INC.	\$7,195.74		
8368	08/10/2010	Open			Accounts Payable	CITADEL	\$186.00		
8369	08/10/2010	Open			Accounts Payable	CLARKE MOSQUITO CONTROL	\$12,892.00		
8370	08/10/2010	Open			Accounts Payable	CLEAN SOURCE, INC.	\$2,216.00		
8371	08/10/2010	Open			Accounts Payable	CLEARCHANNEL OUTDOOR	\$13,800.00		
8372	08/10/2010	Open			Accounts Payable	COMCAST CABLE	\$37.65		
8373	08/10/2010	Open			Accounts Payable	ComEd	\$24,291.98		
8374	08/10/2010	Open			Accounts Payable	COMMUNICATION REVOLVING FUND	\$439.15		

## CITY of BERWYN

**Payment Register**

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
8375	08/10/2010	Open			Accounts Payable	COMPLETE TEMPERATURE SYSTEMS,INC.	\$2,199.15		
8376	08/10/2010	Open			Accounts Payable	COMPUTER POWER SYSTEMS,INC.	\$1,656.50		
8377	08/10/2010	Open			Accounts Payable	CONSTELLATION NEW ENERGY INC.	\$10,222.16		
8378	08/10/2010	Open			Accounts Payable	D & P Construction Co.,Inc.	\$3,300.00		
8379	08/10/2010	Open			Accounts Payable	Debra Wischmeyer	\$120.00		
8380	08/10/2010	Open			Accounts Payable	Dell Marketing, LP	\$18,971.52		
8381	08/10/2010	Open			Accounts Payable	Diamond Graphics, Inc.	\$5,272.00		
8382	08/10/2010	Open			Accounts Payable	Dr.Scott Chavin	\$505.00		
8383	08/10/2010	Open			Accounts Payable	eBattery,Inc.	\$4,156.00		
8384	08/10/2010	Open			Accounts Payable	EBSCO SUBSCRIPTION SERVICE	\$5,847.50		
8385	08/10/2010	Open			Accounts Payable	F.I.R.E. PERSONNEL TESTING SERVICE	\$425.00		
8386	08/10/2010	Open			Accounts Payable	FEDERAL EXPRESS CORPORATION	\$256.25		
8387	08/10/2010	Open			Accounts Payable	FLASH ELECTRIC CO.	\$1,320.00		
8388	08/10/2010	Open			Accounts Payable	FMP	\$58.42		
8389	08/10/2010	Open			Accounts Payable	Fort Dearborn Life Insurance Company	\$4,769.82		
8390	08/10/2010	Open			Accounts Payable	Gabriel Auto Parts	\$111.54		
8391	08/10/2010	Open			Accounts Payable	GRAINGER	\$631.92		
8392	08/10/2010	Open			Accounts Payable	GREY HOUSE PUBLISHING	\$416.05		
8393	08/10/2010	Open			Accounts Payable	H J MOHR & SONS CO	\$2,260.82		
8394	08/10/2010	Open			Accounts Payable	H-O-H CHEMICALS,INC.	\$900.00		
8395	08/10/2010	Open			Accounts Payable	HALOGEN SUPPLY CO INC	\$2,819.60		
8396	08/10/2010	Open			Accounts Payable	HARTIGAN & O'CONNOR P.C.	\$6,641.33		

## CITY of BERWYN

**Payment Register**

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
8397	08/10/2010	Open			Accounts Payable	HOME DEPOT CREDIT SERVICES	\$220.48		
8398	08/10/2010	Open			Accounts Payable	Houghton Mifflin Harcourt	\$159.84		
8399	08/10/2010	Open			Accounts Payable	HOUSE OF DOORS,INC.	\$206.25		
8400	08/10/2010	Open			Accounts Payable	Illinois Director of Employment Security	\$24,584.00		
8401	08/10/2010	Open			Accounts Payable	ILLINOIS MUNICIPAL LEAGUE	\$250.00		
8402	08/10/2010	Open			Accounts Payable	ILLINOIS PAPER & COPIER CO.	\$210.77		
8403	08/10/2010	Open			Accounts Payable	INGRAM LIBRARY SERVICES	\$2,591.97		
8404	08/10/2010	Open			Accounts Payable	INTERSTATE BATTERY SYSTEM OF CENTRAL CHGO.	\$377.80		
8405	08/10/2010	Open			Accounts Payable	Isidra & Jesus Martinez	\$1,475.00		
8406	08/10/2010	Open			Accounts Payable	J. Sterling Morton High School	\$10,076.00		
8407	08/10/2010	Open			Accounts Payable	J.G.UNIFORMS,INC.	\$651.67		
8408	08/10/2010	Open			Accounts Payable	JACK'S RENTAL INC	\$1,106.56		
8409	08/10/2010	Open			Accounts Payable	Jason NG	\$1,200.00		
8410	08/10/2010	Open			Accounts Payable	Jim Frank	\$59.95		
8411	08/10/2010	Open			Accounts Payable	JOHN SCHEEPERS,INC.	\$53.20		
8412	08/10/2010	Open			Accounts Payable	JOHN TARULLO	\$3,200.00		
8413	08/10/2010	Open			Accounts Payable	John Wysocki	\$90.00		
8414	08/10/2010	Open			Accounts Payable	JUAN CARLOS & MAYRA ESPINOZA	\$1,475.00		
8415	08/10/2010	Open			Accounts Payable	Juan Guardian	\$1,475.00		
8416	08/10/2010	Open			Accounts Payable	JULIO C. CARDENAZ	\$1,475.00		
8417	08/10/2010	Open			Accounts Payable	JUST TIRES	\$1,756.23		
8418	08/10/2010	Open			Accounts Payable	JYNETTE AYALA	\$37.29		
8419	08/10/2010	Open			Accounts Payable	K's Construction	\$31,125.00		

## CITY of BERWYN

**Payment Register**

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
8420	08/10/2010	Open			Accounts Payable	K-Five Construction Corporation	\$2,479.77		
8421	08/10/2010	Open			Accounts Payable	KB LAWN AND MULCH	\$885.00		
8422	08/10/2010	Open			Accounts Payable	Kemar, Inc., dba Harlem Citgo	\$1,806.32		
8423	08/10/2010	Open			Accounts Payable	KIEFT BROS,INC.	\$2,587.60		
8424	08/10/2010	Open			Accounts Payable	KUNZ & ASSOCIATES	\$8,000.00		
8425	08/10/2010	Open			Accounts Payable	KUSTOM SIGNALS,INC.	\$985.50		
8426	08/10/2010	Open			Accounts Payable	Lakeview Bus Lines Inc.	\$205.00		
8427	08/10/2010	Open			Accounts Payable	LANDMARK AUDIOBOOKS	\$81.90		
8428	08/10/2010	Open			Accounts Payable	LANZILLOTTI,GRIBBEN & MARCHUK	\$1,354.25		
8429	08/10/2010	Open			Accounts Payable	LAURA GRIJALVA	\$500.00		
8430	08/10/2010	Open			Accounts Payable	LEXISNEXIS	\$456.00		
8431	08/10/2010	Open			Accounts Payable	Loyola University Medical Center	\$50.00		
8432	08/10/2010	Open			Accounts Payable	M.C. DRYWALL FINISHERS,INC., ED MIJANGOS	\$570.00		
8433	08/10/2010	Open			Accounts Payable	Major Landscaping	\$2,600.00		
8434	08/10/2010	Open			Accounts Payable	Maricela N. Leon	\$80.00		
8435	08/10/2010	Open			Accounts Payable	MARK-IT CORP.	\$21,928.09		
8436	08/10/2010	Open			Accounts Payable	MARLIN LEASING	\$736.60		
8437	08/10/2010	Open			Accounts Payable	Martin Pena	\$1,475.00		
8438	08/10/2010	Open			Accounts Payable	MARTIN-AIRE HEATING & COOLING INC.	\$4,750.00		
8439	08/10/2010	Open			Accounts Payable	McDONALD MODULAR SOLUTIONS,INC.	\$95.00		
8440	08/10/2010	Open			Accounts Payable	MEDICAL REIMBURSEMENT SERVICES,INC.	\$5,860.00		
8441	08/10/2010	Open			Accounts Payable	MENARDS	\$441.84		

## CITY of BERWYN

**Payment Register**

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
8442	08/10/2010	Open			Accounts Payable	METROPOLITAN MAYORS CAUCUS	\$1,890.56		
8443	08/10/2010	Open			Accounts Payable	MICRO MARKETING,LLC	\$12.00		
8444	08/10/2010	Open			Accounts Payable	Midwest Protection, Inc.	\$4,547.47		
8445	08/10/2010	Open			Accounts Payable	MIDWEST TAPE	\$254.87		
8446	08/10/2010	Open			Accounts Payable	MIKE & SONS	\$1,932.35		
8447	08/10/2010	Open			Accounts Payable	MIKE BEIRNE TUCKPOINING	\$1,290.00		
8448	08/10/2010	Open			Accounts Payable	MILTON F PERSIN	\$133.00		
8449	08/10/2010	Open			Accounts Payable	MRA	\$19,662.00		
8450	08/10/2010	Open			Accounts Payable	MUNICIPAL CLERKS OF ILLINOIS	\$65.00		
8451	08/10/2010	Open			Accounts Payable	NAEIR	\$191.36		
8452	08/10/2010	Open			Accounts Payable	NATIONAL ASSOCIATION OF TOWN WATCH	\$157.45		
8453	08/10/2010	Open			Accounts Payable	NATIONAL SEED	\$255.00		
8454	08/10/2010	Open			Accounts Payable	NEXTEL COMMUNICATIONS	\$632.46		
8455	08/10/2010	Open			Accounts Payable	NICOLE CAMPBELL	\$135.00		
8456	08/10/2010	Open			Accounts Payable	OFFICE DEPOT	\$558.41		
8457	08/10/2010	Open			Accounts Payable	OFFICE EQUIPMENT SALES	\$246.27		
8458	08/10/2010	Open			Accounts Payable	ORKIN PEST CONTROL	\$100.58		
8459	08/10/2010	Open			Accounts Payable	PACE Vanpool	\$400.00		
8460	08/10/2010	Open			Accounts Payable	Patrick N.Murray	\$1,750.00		
8461	08/10/2010	Open			Accounts Payable	PEARSON EDUCATION	\$686.31		
8462	08/10/2010	Open			Accounts Payable	PHELAN DODGE	\$33.08		
8463	08/10/2010	Open			Accounts Payable	PHS LOCKSMITH	\$25.00		
8464	08/10/2010	Open			Accounts Payable	Prudential Insurance Company of America	\$1,485.72		

## CITY of BERWYN

**Payment Register**

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
8465	08/10/2010	Open			Accounts Payable	RAMON ORTIZ	\$805.60		
8466	08/10/2010	Open			Accounts Payable	RANDOM HOUSE,INC.	\$6.00		
8467	08/10/2010	Open			Accounts Payable	RESEARCH TECHNOLOGY INT'L	\$264.95		
8468	08/10/2010	Open			Accounts Payable	RIZZA FORD	\$209,932.78		
8469	08/10/2010	Open			Accounts Payable	ROBERT DWAN	\$289.78		
8470	08/10/2010	Open			Accounts Payable	ROSCOE COMPANY	\$1,032.89		
8471	08/10/2010	Open			Accounts Payable	RYAN GRANT	\$10.00		
8472	08/10/2010	Open			Accounts Payable	SABER-TOOTH COMPUTING	\$270.00		
8473	08/10/2010	Open			Accounts Payable	SAM'S CLUB	\$251.68		
8474	08/10/2010	Open			Accounts Payable	SAM'S CLUB	\$387.57		
8475	08/10/2010	Open			Accounts Payable	SARAH'S INN	\$2,355.12		
8476	08/10/2010	Open			Accounts Payable	SCOT DECAL COMPANY INC	\$7,685.79		
8477	08/10/2010	Open			Accounts Payable	SEAN MCMILLEN	\$500.00		
8478	08/10/2010	Open			Accounts Payable	Showcases	\$384.66		
8479	08/10/2010	Open			Accounts Payable	SIR SPEEDY	\$409.72		
8480	08/10/2010	Open			Accounts Payable	South Berwyn School District 100	\$54,250.00		
8481	08/10/2010	Open			Accounts Payable	SOUTHWEST UNITED FIRE DISTRICTS	\$650.00		
8482	08/10/2010	Open			Accounts Payable	SPECIALTY STORE UNLIMITED	\$127.11		
8483	08/10/2010	Open			Accounts Payable	SPRINT	\$340.73		
8484	08/10/2010	Open			Accounts Payable	STANDARD EQUIPMENT CO	\$85,350.90		
8485	08/10/2010	Open			Accounts Payable	Stanley Security Solutions,Inc.	\$126.92		
8486	08/10/2010	Open			Accounts Payable	Strictly Sewers	\$3,085.00		
8487	08/10/2010	Open			Accounts Payable	SUBURBAN LIFE PUBLICATIONS	\$173.16		

# Payment Register

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
8488	08/10/2010	Open			Accounts Payable	TARGET AUTO PARTS	\$13.92		
8489	08/10/2010	Open			Accounts Payable	TELE-TRON ACE HARDWARE	\$180.94		
8490	08/10/2010	Open			Accounts Payable	THE GALE GROUP	\$155.22		
8491	08/10/2010	Open			Accounts Payable	THE LIBRARY STORE	\$44.31		
8492	08/10/2010	Open			Accounts Payable	TRYAD AUTOMOTIVE	\$2,666.74		
8493	08/10/2010	Open			Accounts Payable	U.S. Cellular	\$166.41		
8494	08/10/2010	Open			Accounts Payable	ULINE	\$349.48		
8495	08/10/2010	Open			Accounts Payable	UNITED RADIO COMM,INC	\$213.50		
8496	08/10/2010	Open			Accounts Payable	UNIVERSITY OF ILLINOIS	\$725.00		
8497	08/10/2010	Open			Accounts Payable	UNIVERSITY OF ILLINOIS	\$400.00		
8498	08/10/2010	Open			Accounts Payable	UPSTART INC	\$123.20		
8499	08/10/2010	Open			Accounts Payable	US GAS	\$307.60		
8500	08/10/2010	Open			Accounts Payable	VCG UNIFORM/CARLSON MURRAY	\$174.90		
8501	08/10/2010	Open			Accounts Payable	VERIZON WIRELESS	\$65.00		
8502	08/10/2010	Open			Accounts Payable	WALGREENS CO.	\$11.99		
8503	08/10/2010	Open			Accounts Payable	WATER ONE	\$43.50		
8504	08/10/2010	Open			Accounts Payable	YVONNE BEECHAM	\$500.00		
8505	08/10/2010	Open			Accounts Payable	ZEE MEDICAL,INC.	\$65.95		

Type Check Totals:

174 Transactions \$1,309,551.07

01 - General Cash Totals

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	174	\$1,309,551.07	
	Total	174	\$1,309,551.07	\$0.00

# Payment Register

From Payment Date: 8/6/2009 - To Payment Date: 8/10/2010

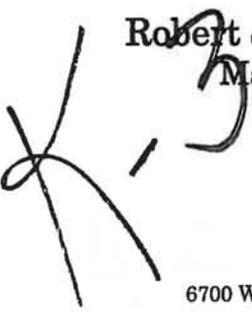
Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
				All	Status	Count	Transaction Amount	Reconciled Amount	
					Open	174	\$1,309,551.07		
					Total	174	\$1,309,551.07	\$0.00	

**Grand Totals:**

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	174	\$1,309,551.07	
	Total	174	\$1,309,551.07	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	174	\$1,309,551.07	
	Total	174	\$1,309,551.07	\$0.00

  
Robert J. Lovero  
Mayor



Charles D. Lazzara  
Building Director

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-1427  
www.berwyn-il.gov

**August 6, 2010**

**Honorable Robert J. Lovero  
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 July, 2010, along with a copy of Permit Statistics for this same period.**

**Respectfully,**

  
**Charles D. Lazzara, Director  
Building Department**

**CDL:cr  
Encs.**

# Permits Issued By The Building Department

Thursday, August 05, 2010

Between: 7/1/2010 And 7/31/2010

<u>Building</u>	Permits Issued: 4	Cost of Improvements: \$22,000.00
<u>Dumpster</u>	Permits Issued: 11	Cost of Improvements: \$0.00
<u>Electrical</u>	Permits Issued: 27	Cost of Improvements: \$19,405.00
<u>Fence</u>	Permits Issued: 17	Cost of Improvements: \$21,254.00
<u>Garage</u>	Permits Issued: 9	Cost of Improvements: \$81,485.00
<u>HVAC</u>	Permits Issued: 18	Cost of Improvements: \$116,118.00
<u>Local Improvement</u>	Permits Issued: 235	Cost of Improvements: \$2,453,608.54
<u>Plumbing</u>	Permits Issued: 27	Cost of Improvements: \$86,157.98
<u>POD</u>	Permits Issued: 3	Cost of Improvements: \$0.00
<u>Roofing</u>	Permits Issued: 70	Cost of Improvements: \$322,567.93
<u>Sign</u>	Permits Issued: 4	Cost of Improvements: \$16,600.00
<b>Total Permits: <u>425</u></b>		<b>Total Improvements: <u>\$3,139,196.45</u></b>

## Fees Collected

Building Permit	\$400.00
Local Improvement Permit	\$33,320.00
Electrical Fees	\$765.00

# Permits Issued By The Building Department

Thursday, August 05, 2010

Between: 7/1/2010 And 7/31/2010

Electrical Inspection	\$5,900.00
Signs	\$475.00
Framing Inspection	\$1,510.00
Inspection	\$12,095.00
Fence Fees	\$560.00
Plumbing Fees	\$995.00
Plumbing Inspection	\$3,900.00
Plumbing Inspection (Underground)	\$700.00
Post Hole Inspection	\$950.00
HVAC Permit	\$1,685.00
HVAC Inspection	\$2,940.00
Service Charge	\$5,466.00
Insulation/Fire Stopping Inspection	\$365.00
Demolition Fees	\$150.00
Dumpster	\$2,150.00
POD	\$150.00
Pre-Pour Inspection	\$2,615.00
Fine - Working Without Permit	\$300.00
Roof Covering Fees	\$4,680.00
Garage Permit	\$525.00
Plan Review Fee - w/Permits	\$30.00
<b>Total Fees Collected . . . . .</b>	<b>\$82,626.00</b>

# Report Of Building Permits Issued By The City Of Berwyn

Thursday, August 05, 2010

Between: 7/1/2010 And 7/31/2010

Name and Address			Issued	Permit No.	Cost Of Improvements	Cost Of Permit
Ryan & Laura Amlod	3234 S. Wesley Avenue	KITCHEN REMODEL & ADDITION OF 1/2 BATHRM NEXT TO KITCHEN ON 1ST FLR	7/1/2010	Bldg-B 7434-0	\$16,000.00	\$855.00
Margie Kurka & Rene Carrasco	2512 S. Harvey Avenue	DEMO OLD GARAGE AND BUILD NEW DET FRAME 20 X 20 X 12H GARAGE	7/2/2010	Gar-B 7435-0	\$11,450.00	\$305.00
Jack E. Bebinger	3140 S. Wenonah Avenue	INSTALL CENTRAL AIR FOR HOUSE - WITH DUCTWORK - ADD 6 CIRCUIT SUB PANEL TO EXISTING SERVICE & 2 ELECTRIC RUNS - 1 60 AMP TO OUTDOOR CONDENSOR - 1 15-20 AMP TO ATTIC AIR HANDLER	7/12/2010	HVAC- 7436-0	\$15,773.00	\$375.00
James E. Sapyta & Melodi A. Ro	1216 S. Clarence Avenue	DEMOLISH OLD GARAGE AND RE BUILD NEW DET FRAME GARAGE 22 X 20 X 16-6 HGT - HAS ZONING BOARD APPROVAL - 8/5/2010 CDL APPROVED GABLE DORMER ON GARAGE AS LONG AS IT DOES NOT EXCEDE THE 16-6 HEIGHT ALLOWED BY COUNCIL	7/12/2010	Gar-B 7437-0	\$16,500.00	\$305.00
Richard & Bonnie Dembeck	1327 S. Wesley Avenue	DEMOLISH OLD GARAGE AND BUILD NEW DET FRAME 1 CAR GARAGE 12 X 20 X 12.25 HGT	7/12/2010	Gar-B 7438-0	\$8,500.00	\$230.00
Nancy and Donald Ginger	3818 S. Gunderson Avenue	DEMOLISH OLD GARAGE AND BUILD NEW 22 X 24 X 14 HGT DET. FRAME GARAGE - COMPLETE WITH 2 INSIDE LIGHTS & 2 OUTSIDE LIGHTS, 2 SWITCHES & 2 COACH LIGHTS WITH UNDERGROUND FEED TO HOUSE.	7/12/2010	Gar-B 7439-0	\$16,835.00	\$355.00
Jose Torres	3223 S. Harvey Avenue	EMERGENCY DEMO OF GARAGE HIT BY FALLEN TREE. BUILD NEW DET. FRAME 2 CAR GARAGE 24 X 22 X 12 H. - REPLACE 4 FT SIDE YARD FENCE ALSO DAMAGED BY TREE. CALL FOR POST HOLE INSPECTION OF FENCE, PRE-POUR OF CONCRETE, ELECTRIC INSP & FINAL INSP OF FENCE & GAR	7/13/2010	Gar-B 7440-0	\$20,000.00	\$390.00
Harold Kelly Jr.	1515 S. Harvey Avenue	DEMO EXISTING GARAGE: BUILD NEW 20 X 20 X 12 H DET. FRAME 2 CAR GARAGE.	7/16/2010	Gar-B 7441-0	\$8,200.00	\$305.00
Ronald & Jiranan Skolba	2631 S. Clarence Avenue	BSMT: FRAME & DRYWALL THE WALLS IN BSMT. DRY WALL CEILING - PUT BATHROOM WITH TOILET SINK & SHOWER. INSTALL EJECTION PUMP FOR TOILET SINK SHOWER UTILITIES & 2 FLOOR DRAINS. PUT ELECTRIC OUTLETS & CANISTER LIGHTS IN THE CEILING	7/19/2010	Bldg-B 7442-0	\$6,000.00	\$550.00
Pedro & Socorro Herrera	3442 S. Ridgeland Avenue	RE ISSUE OF EXPIRED PERMIT FOR PURPOSE OF FINAL ELECTRIC & GARAGE STRUCTURE INSPECTIONS	7/2/2010	Gar-R 7198-1	\$0.00	\$100.00
Milan Sovic	2513 S. Euclid Avenue	ELECTRIC FINAL RE INSPECTION	7/27/2010	Gar-R 7385-1	\$0.00	\$50.00
7028 W. Cermak LLC	7028 W. Cermak Road	ADDITIONAL PROOF ROLL INSPECTION ON ASPHALT.	7/20/2010	Bldg-R 7406-1	\$0.00	\$140.00
Pedro & Rosa Segovia	3024 S. East Avenue	PREPOUR OF GARAGE FLOOR - RE INSPECTION	7/29/2010	Gar-R 7407-1	\$0.00	\$50.00
Martha Monsivais	2305 S. East Avenue	ADDITIONAL ROUGH ELECTRIC & PLUMBING INSPECTION. PLACE INSPECTIONS ON ORIGINAL PERMIT #B-7412	7/7/2010	Bldg-R 7412-1	\$0.00	\$100.00

# Report Of Building Permits Issued By The City Of Berwyn

Thursday, August 05, 2010

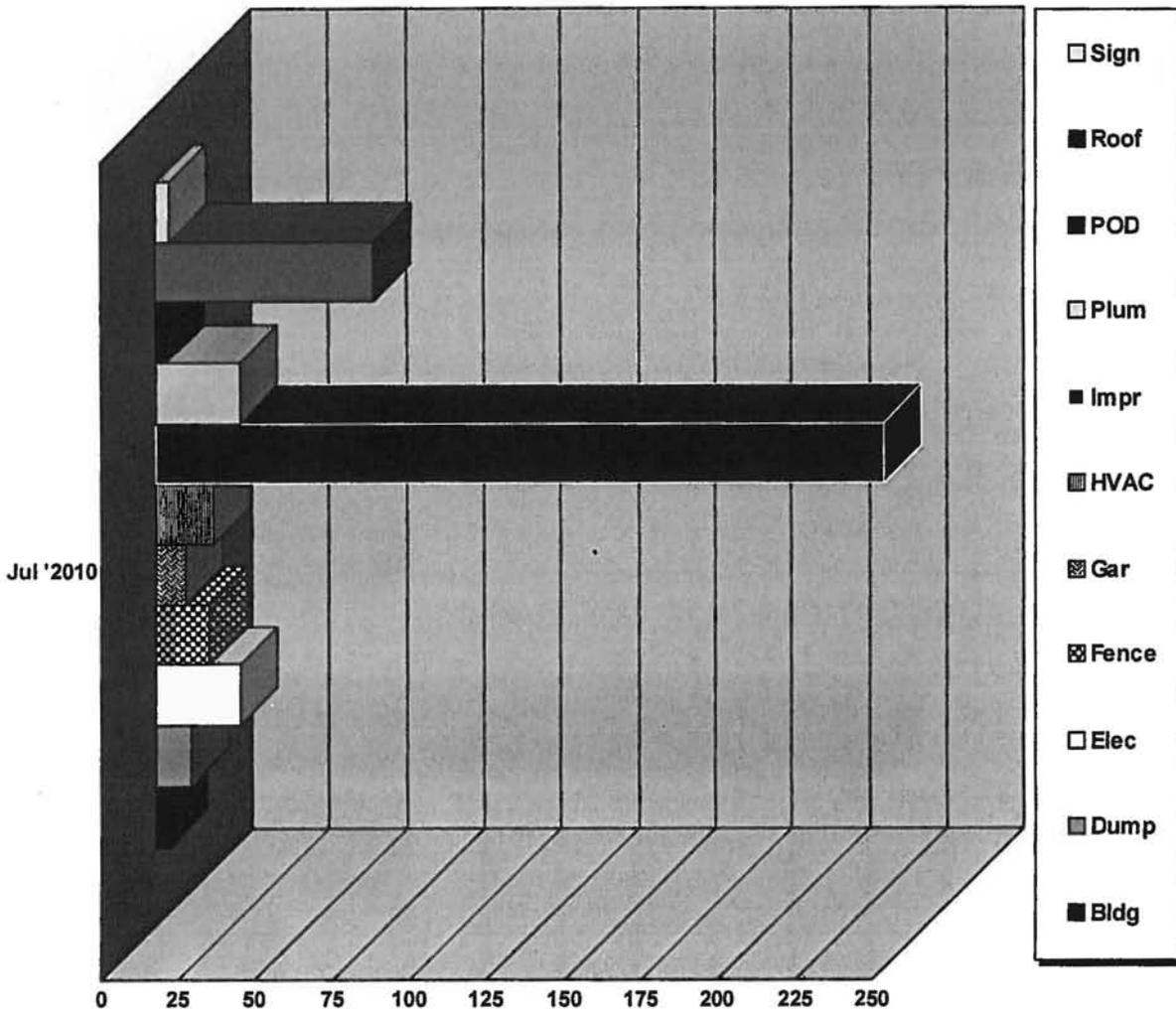
Between: 7/1/2010 And 7/31/2010

<i>Name and Address</i>	<i>Issued</i>	<i>Permit No.</i>	<i>Cost Of Improvements</i>	<i>Cost Of Permit</i>
14 <i>Building Permits Issued During Period</i>	<i>Totals . . . . .</i>		<u>\$119,258.00</u>	<u>\$4,110.00</u>

# Permits Issued

Thursday, August 5, 2010 3:26 PM

For Period Beginning 7/1/2010 And Ending 7/31/2010



## Permit Detail

2010	July	Bldg	4
2010	July	Dump	11
2010	July	Elec	27
2010	July	Fence	17
2010	July	Gar	9
2010	July	HVAC	18
2010	July	Impr	235
2010	July	Plum	27
2010	July	POD	3
2010	July	Roof	3
2010	July	Sign	4

425

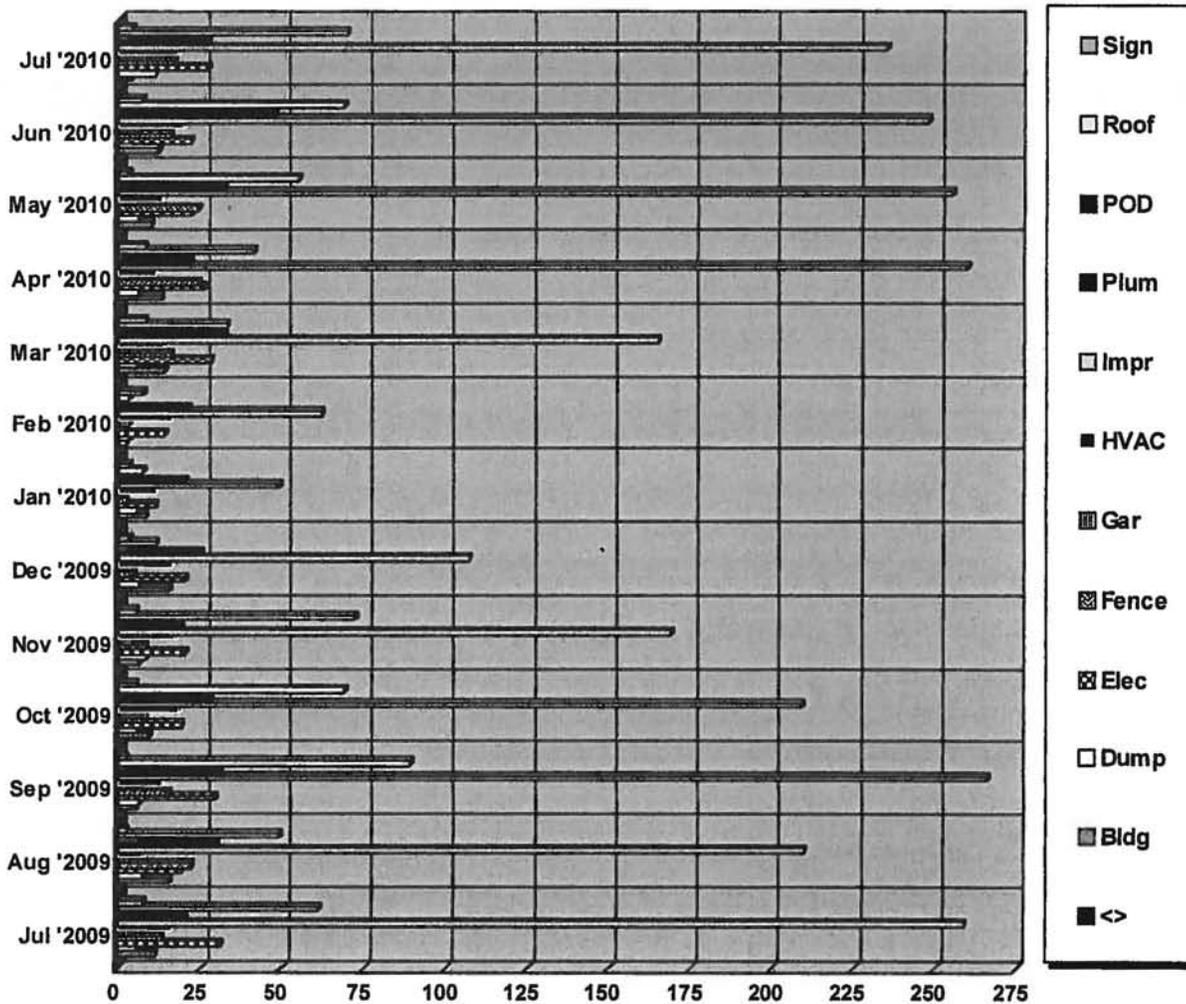
**Total Permits Issued**

**425**

# Permits Issued

Thursday, August 5, 2010 3:27 PM

For Period Beginning 7/1/2009 And Ending 7/31/2010



## Permit Detail

2010	July	Bldg	4
2010	July	Dump	11
2010	July	Elec	27
2010	July	Fence	17
2010	July	Gar	9
2010	July	HVAC	18
2010	July	Impr	235
2010	July	Plum	27
2010	July	POD	3
2010	July	Roof	70
2010	July	Sign	4

425

2010	June	Bldg	12
2010	June	Dump	12
2010	June	Elec	22
2010	June	Fence	16
2010	June	Gar	6
2010	June	HVAC	20
2010	June	Impr	248
2010	June	Plum	48
2010	June	Roof	69
2010	June	Sign	7

460

2010	May	Bldg	10
2010	May	Dump	6
2010	May	Elec	22
2010	May	Fence	24
2010	May	Gar	5
2010	May	HVAC	13
2010	May	Impr	255
2010	May	Plum	32
2010	May	Roof	55
2010	May	Sign	3

425

2010	April	Bldg	13
2010	April	Dump	6
2010	April	Elec	26
2010	April	Fence	24
2010	April	Gar	3
2010	April	HVAC	11
2010	April	Impr	260
2010	April	Plum	22
2010	April	POD	1
2010	April	Roof	41
2010	April	Sign	8

415

**Permit Detail**

2010	March		1
2010	March	Bldg	14
2010	March	Dump	5
2010	March	Elec	28
2010	March	Fence	16
2010	March	Gar	6
2010	March	HVAC	14
2010	March	Impr	165
2010	March	Plum	32
2010	March	Roof	33
2010	March	Sign	8

322

2010	February	Bldg	2
2010	February	Dump	3
2010	February	Elec	14
2010	February	Fence	1
2010	February	Gar	3
2010	February	HVAC	16
2010	February	Impr	62
2010	February	Plum	21
2010	February	Roof	3
2010	February	Sign	7

132

2010	January	Bldg	8
2010	January	Dump	5
2010	January	Elec	11
2010	January	Fence	2
2010	January	HVAC	11
2010	January	Impr	49
2010	January	Plum	20
2010	January	POD	1
2010	January	Roof	7
2010	January	Sign	3

117

2009	December	Bldg	15
2009	December	Dump	6
2009	December	Elec	20
2009	December	Fence	4
2009	December	Gar	4
2009	December	HVAC	16
2009	December	Impr	107
2009	December	Plum	25
2009	December	POD	2
2009	December	Roof	11
2009	December	Sign	3

213

2009	November	Bldg	6
2009	November	Dump	8
2009	November	Elec	20
2009	November	Fence	8
2009	November	Gar	4
2009	November	HVAC	17
2009	November	Impr	169
2009	November	Plum	19
2009	November	Roof	72
2009	November	Sign	5

328

2009	October	Bldg	9
2009	October	Dump	5
2009	October	Elec	19
2009	October	Fence	7
2009	October	Gar	8
2009	October	HVAC	18
2009	October	Impr	209
2009	October	Plum	28
2009	October	POD	2
2009	October	Roof	69
2009	October	Sign	5

379

2009	September	Bldg	5
2009	September	Dump	6
2009	September	Elec	29
2009	September	Fence	15
2009	September	Gar	1
2009	September	HVAC	13
2009	September	Impr	266
2009	September	Plum	31
2009	September	POD	2
2009	September	Roof	89
2009	September	Sign	2

459

2009	August	Bldg	15
2009	August	Dump	7
2009	August	Elec	19
2009	August	Fence	22
2009	August	Gar	3
2009	August	HVAC	7
2009	August	Impr	210
2009	August	Plum	30
2009	August	POD	6
2009	August	Roof	49
2009	August	Sign	2

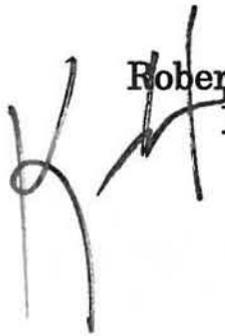
370

2009	July	Bldg	11
2009	July	Dump	5
2009	July	Elec	31
2009	July	Fence	13
2009	July	Gar	3
2009	July	HVAC	16
2009	July	Impr	259
2009	July	Plum	20
2009	July	Roof	61
2009	July	Sign	7

426

*Permit Detail*

**Total Permits Issued**      **4471**

  
Robert J. Lovero  
Mayor



Collections and  
Licensing

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 749-8910  
www.berwyn-il.gov

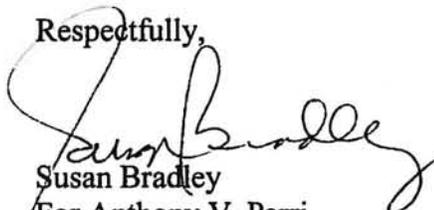
August 5, 2010

Honorable Mayor Robert J. Lovero  
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 were issued by the Collection and Licensing Department during the month of July, 2010. Included are; storefronts, 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/Pending as well as businesses waiting for inspections with a status of Inspections Pending.

Respectfully,

  
Susan Bradley  
For Anthony V. Perri  
Licensing and Collections  
sb

**BERWYN BUSINESSES - LICENSED IN JULY, 2010 (STOREFRONTS)**

<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>CORP. NAME OR OWNERS NAME</u></b>	<b><u>COMMENTS</u></b>
Robert (Bob) Cottle State Farm Insurance	6612 W. Cermak Road	Robert (Bob) Cottle	Insurance Office (708) 652-1797
The Urban Muttt (This is their second location, first store located at 3212 S. Grove Avenue, right around the corner)	6823 W. Stanley Avenue	Chad Lopez & Cynthia Gaspar	Pet Supplied (708) 484-8006

**BERWYN BUSINESSES - LICENSED IN JULY, 2010 ( PHONE USE ONLY)**

<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>CORP. NAME OR OWNERS NAME</u></b>	<b><u>COMMENTS</u></b>
Lopezan, Inc.	3305 S. Highland Avenue	Lopezan, Inc.	General Contractor (708) 795-6429
ISAFELINK, LLC	1347 S. Grove Avenue	Jesus Lagmay & Francis J. Wong	Security Systems (708) 328-7888

**BUSINESS LICENSES ISSUED FOR JULY, 2010  
OUT OF TOWN CONTRACTORS**

Page 1

<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>CORP. NAME OR OWNERS NAME</u></b>	<b><u>COMMENTS</u></b>
TNT Concrete Constr	2539 Hawthorne, Westchester	TNT Concrete Construction, Inc.	Contractor (Cement)
Hernandez Electric	3000 Albany, Chicago	Hernandez Electric, Inc.	Contractor (Electric)
Leon Electric	5518 Mason, Chicago	Leon Electric	Contractor (Electric)
Milan Electric, Inc.	5045 Overhill, Norridge	Milan Electric, Inc.	Contractor (Electric)
UK Electrical Corp	9441 Congress, Brookfield	UK Electrical Corporation	Contractor (Electric)
Granger Contracting Co	600 Trade Center, Chesterfield,MO	Granger Contracting Co., Inc.	Contractor (General)
JSF Sol Construction	1106 16th Ave.,Melrose Park	JSF Sol Construction, Inc.	Contractor (General)
Jagoda's Construction	12640 Briarcliffe, Lemont	Jagonda's Construction, Inc.	Contractor (General)
Louis Construction & Roof	3645 53rd Ct.,Cicero	Louis Construction & Roofing	Contractor (General)
CT Mechanical	199 Addison, Wood Dale	CT Mechanical	Contractor (HVAC)
Rico's Construction/Mason	5116 Monticello, Chicago	Rico's Construction & Masonry	Contractor (Masonry)
Simon & Sons Roofing	1436 50th Ct., Cicero	Simon & Sons Roofing Company	Contractor (Roofing)

***Application Review***

<b>Business Name</b>	<b>Address</b>	<b>Last Update</b>	<b>Phone</b>	<b>ID #</b>
<b><i>Jessica Rivera-Herrera, CPA, PC</i></b>			<b>(708) 393-2342</b>	<b>12338</b>
6418 W. Ogden Avenue	Berwyn IL 60402	6/22/2010		
<b><i>Jimmy Johns</i></b>			<b>(708) 488-1129</b>	<b>12048</b>
7028 W. Cermak Road	Berwyn IL 60402	2/5/2010		
<b><i>PCC South Family Health Center</i></b>			<b>(708)</b>	<b>12013</b>
6201 W. Roosevelt Road	Berwyn IL 60402	1/22/2010		
<b><i>Raymond's Tacos and Burritos</i></b>			<b>(708)</b>	<b>12365</b>
6401 W. 34th Street	Berwyn IL 60402	7/8/2010		
<b><i>Union Arms Company</i></b>			<b>(708)</b>	<b>12366</b>
6340 W. 26th Street	Berwyn IL 60402	7/8/2010		
<b><i>Virtuous Nights</i></b>			<b>(708)</b>	<b>12277</b>
3243 S. Harlem Avenue	Berwyn IL 60402	5/24/2010		
<b>Total Businesses . . . . .</b>				<b>6</b>

***Application Pending***

<b>Business Name</b>	<b>Address</b>	<b>Last Update</b>	<b>Phone</b>	<b>ID #</b>
<b><i>Andies Investment</i></b>			<b>(708) 795-2909</b>	<b>12367</b>
6847 W. Cermak Road	Berwyn IL 60402	7/8/2010		
<b><i>Lagniappe, LLC</i></b>			<b>(312) 651-2037</b>	<b>11541</b>
2905 S. Ridgeland Avenue	Berwyn IL 60402	7/8/2010		
<b>Total Businesses . . . . .</b>				<b>2</b>

***Inspections Pending***

<b>Business Name</b>	<b>Address</b>	<b>Last Update</b>	<b>Phone</b>	<b>ID #</b>
<b><i>A. S. G. Staffing</i></b> 6902 W. Cermak Road Berwyn IL 60402		3/26/2010	(708) 484-1084	12124
<b><i>Art Studios</i></b> 1401 S. Harlem Avenue Berwyn IL 60402		7/9/2010	(708) 369-6009	12241
<b><i>Golden Homes Real Estate, Inc.</i></b> 6705 W. 26th Street Berwyn IL 60402		6/23/2008	(708)	10319
<b><i>Horrorbles, Inc.</i></b> 6729 W. Roosevelt Road Berwyn IL 60402		6/23/2009	(708) 484-7370	11577
<b><i>Lions Tai Kwon Do</i></b> 6811 W. Roosevelt Road Berwyn IL 60402		1/11/2010	(708) 484-7555	11989
<b><i>Marathon Gas Food Mart</i></b> 1600 S. Oak Park Avenue Berwyn IL 60402	<b><i>AKA Shreeji Berwyn, Inc.</i></b>	10/15/2008	(708)	11073
<b><i>Saint Anthony Hospital Doctor's Office</i></b> 6917 W. Cermak Road Berwyn IL 60402		1/5/2010	(708) 788-4933	11979
<b><i>Salud Y Bienestar, Health &amp; Well Being</i></b> 6721 W. 26th Street Berwyn IL 60402		3/31/2010	(708) 890-7781	12132
<b><i>Vanguard Distribution</i></b> 2905 S. Ridgeland Avenue Berwyn IL 60402		6/5/2009	(708) 484-2090	11529
<b>Total Businesses .....</b>				<b>9</b>

K/S

**Robert J. Lovero**  
Mayor



**A Century of Progress with Pride**

8700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
www.berwyn-il.gov

**THOMAS J. PAVLIK**  
CITY CLERK

Date: 7/15/2010

Mayor Lovero & Members  
Of the Berwyn City Council

Re: Block Party 1300 block of WENONAH

Honorable Mayor Lovero & Members of City Council:

Attached, please find a petition for a block party on the 1300 block  
of WENONAH AVE.

The residents request permission to hold the event on August 21st

With a rain date of August 22nd. We are aware of the ordinance  
regarding block parties and will abide by all of them.

Thank you for your consideration.

Yours truly,

Michael Del Fiacco

Contact person is: MICHAEL DEL FIACCO

Address is: \_\_\_\_\_

Phone number is: \_\_\_\_\_

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

WV

WE THE UNDERSIGNED RESIDENTS OF THE 1300 BLOCK OF WENONAH  
 DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON August ~~20th~~ 21st  
 BETWEEN THE HOURS OF 12pm AND 9pm, OUR RAIN DATE IS August 22nd  
 ALL REFUSE MUST BE PLACED IN PROPER CONTAINERS FOR PICKUP BY CLEARING DISPOSAL\*\*

NAME	ADDRESS
	1326 S. Wenonah Ave
	1320 S Wenonah
	1315 S. Wenonah
	1335 Wenonah
	1334 Wenonah
	1306 Wenonah
	1305 WENONAH AVE
	1313 WENONAH AVE
	1311 Wenonah A
	1349 wenonah
	1348 Wenonah
	1324 Wenonah
	1318 S. Wenonah
	1346 Wenonah
	1330 WENONAH AV
	1323 Wenonah
	1309 Wenonah
	1325 11
	1337 Wenonah
	1316 Wenonah
	1302 WENONAH
	1339 Wenonah

**Robert A. Lovero**  
Mayor



**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
www.berwyn-il.gov

**THOMAS J. PAVLIK**  
CITY CLERK

Date: Aug 1 2010

Mayor Lovero & Members  
Of the Berwyn City Council

Re: Block Party 1800 block of Clinton Ave

Honorable Mayor Lovero & Members of City Council:

Attached, please find a petition for a block party on the 1800 block  
of Clinton Ave.

The residents request permission to hold the event on Aug 21 2010

With a rain date of Aug 28 2010. We are aware of the ordinance  
regarding block parties and will abide by all of them.

Thank you for your consideration.

Yours truly,  
Patricia Katsuleas

Contact person is: PATTY KATSULEAS

Address is: \_\_\_\_\_

Phone number is: \_\_\_\_\_

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

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

BETWEEN THE HOURS OF \_\_\_\_\_ AND \_\_\_\_\_ OUR RAIN DATE IS \_\_\_\_\_

DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON \_\_\_\_\_

WE THE UNDERSIGNED RESIDENTS OF THE \_\_\_\_\_ BLOCK OF \_\_\_\_\_

NAME

ADDRESS

1848 S CLINTON AV

1826 CLINTON

1838 S. Clinton.

1812 CLINTON AVE.

1845 S. CLINTONS AVE.

1841 S CLINTON AVE.

1828 S CLINTON AVE.

1806 CLINTON AVE

1714 CLINTON AVE

1833 CLINTON AVE

WE THE UNDERSIGNED RESIDENTS OF THE 1800 BLOCK OF CLINTON AVE.

DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON \_\_\_\_\_

BETWEEN THE HOURS OF 6 AM AND 9 PM, OUR RAIN DATE IS \_\_\_\_\_

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

NAME ADDRESS

- 1 Clinton Brooklyn
- 829 Clinton Brooklyn
- S. Clinton Brooklyn
- 1835 S. Clinton Brooklyn
- ? 1835 St CLINTON II
- 1835 CLINTON Av.
- 1419 CLINTON AVE
- 1837 CLINTON BROOKLYN
- 1843 CLINTON
- 1847 Clinton Ave
- 1852 Clinton
- 1840 Clinton
- 1836 Clinton Ave.
- 1634 Clinton Ave.
- 1808 Clinton
- 1800 Clinton
- 1816 Clinton
- 1820 S. Clinton Ave
- ? 1822 S. Clinton Ave
- 1821 Clinton Ave
- 1805 S. Clinton Ave
- 1801 S. Clinton Ave

K

**Robert J. Lovero**  
Mayor



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www.berwyn-il.gov

**THOMAS J. PAVLIK**  
CITY CLERK

Date: 7/2/2010

Mayor Lovero & Members  
Of the Berwyn City Council

Re: Block Party 2200 block of HARVEY

Honorable Mayor Lovero & Members of City Council:

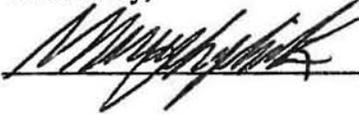
Attached, please find a petition for a block party on the 2200 block  
Of HARVEY.

The residents request permission to hold the event on August 28, 2010

With a rain date of August 29, 2010. 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: Mary Lyshik

Address is: ---

Phone number is: -

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

WE THE UNDERSIGNED RESIDENTS OF THE LOMBARD & HARVEY BLOCK OF 200 Lombard + 222 Harvey  
DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON August 28, 2010  
BETWEEN THE HOURS OF 12:00pm AND 8:00pm, OUR RAIN DATE IS August 29, 2010  
ALL REFUSE MUST BE PLACED IN PROPER CONTAINERS FOR PICKUP BY CLEARING DISPOSAL\*\*

ADDRESS

- 2230 Lombard
- 2230 Lombard
- 2224 Lombard
- 2224 Lombard
- 2231 Harvey Ave
- 2234 LOMBARD
- 2236 Lombard
- 2238 " "
- 2226 Lombard
- 2222 Lombard
- 2222 Lombard
- 2216 Lombard Ave
- 2228 Lombard Ave
- 2235 Harvey av.
- 2229 Harvey ave.
- 2229 Harvey ave
- 2229 Harvey Ave
- 2217 Harvey Ave.
- 2213 HARVEY AVE
- 2208 HARVEY
- 2223 HARVEY
- 2224 Harvey
- 2244 Harvey.
- 2231 Harvey

**Robert J. Lovero**  
Mayor



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www.berwyn-il.gov

**THOMAS J. PAVLIK**  
**CITY CLERK**

Date: 6/29/10

Mayor Lovero & Members  
Of the Berwyn City Council

Re: Block Party 2600 block of ~~2500~~ Harvey.

Honorable Mayor Lovero & Members of City Council:

Attached, please find a petition for a block party on the 2600 block  
Of Harvey.

The residents request permission to hold the event on 8-14-10

With a rain date of 8-21-10. 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: Tiffany Zablocki

Address is: \_\_\_\_\_

Phone number is: \_\_\_\_\_

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

WE THE UNDERSIGNED RESIDENTS OF THE 26<sup>th</sup> BLOCK OF HARVEY

DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON 8.14.10

BETWEEN THE HOURS OF 9am AND 10pm, OUR RAIN DATE IS 8.21.10

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

NAME

ADDRESS

2630 HARVEY

2626 HARVEY

2624 HARVEY

2636 S HARVEY

2642 S HARVEY

2646 S HARVEY

2648 HARVEY AVE

2612 HARVEY

2617 HARVEY

2611 S HARVEY

2614 HARVEY

2621 HARVEY

2641 S HARVEY

2645 S HARVEY AVE

2618 S HARVEY AVE

2613 HARVEY AVE

2623 HARVEY AV

2625 HARVEY AV

2633 HARVEY AVE

2637 HARVEY

2647 HARVEY

2646 HARVEY

2632 HARVEY

2618 HARVEY

**Robert J. Lovero**  
Mayor



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www.berwyn-il.gov

**THOMAS J. PAVLIK**  
CITY CLERK

Date: 8-4-10

Mayor Lovero & Members  
Of the Berwyn City Council

Re: Block Party 3500 block of Home Avenue

Honorable Mayor Lovero & Members of City Council:

Attached, please find a petition for a block party on the 3500 block  
Of Home Ave.

The residents request permission to hold the event on Sat Sept 11, 2010

With a rain date of Sunday Sept. 12, 2010 We are aware of the ordinance  
regarding block parties and will abide by all of them.

Thank you for your consideration.

Yours truly,

Melissa Parker

Contact person is: Melissa Parker

Address is: \_\_\_\_\_

Phone number is: \_\_\_\_\_

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

WE THE UNDERSIGNED RESIDENTS OF THE 3500 BLOCK OF HOME Ave.  
 DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON Saturday Sept. 18  
 BETWEEN THE HOURS OF 9am AND 9pm, OUR RAIN DATE IS Sunday Sept. 19  
 ALL REFUSE MUST BE PLACED IN PROPER CONTAINERS FOR PICKUP BY CLEARING DISPOSAL\*\*

NAME ADDRESS

3531 Home Berwyn, IL 60402  
 3521 " "  
 3609 " "  
 3609 " "  
 3525  
 3519  
~~3548~~ 35th Street  
 3543  
 3541 HOME  
 3537 Home  
 3520 HOME  
 3516 Home  
 3530 Home Ave  
 3514 S. Home Ave.  
 3538 HOME  
 3535 Home.

K-10

July 25, 2010

City of Berwyn  
To Whom It May Concern:

We are planning on having a family garage sale in Berwyn on August 14 and August 15<sup>th</sup>. Since we want to cover the Cicero-Berwyn area and neither of us still live in Berwyn, we want to have it at our place of business at 6535 Stanley Avenue, in Berwyn.

We operate a saltine distributorship from that address but we have scaled down the business dramatically over the past two years and we have a lot of room in there to set up tables, etc. for the sale.

We will be selling personal items such as clothing, small tables and chairs, lamps, books, dishes, children's toys, electronics, old VHS movies, etc.

We are asking for a permit to cover the two days.

If you have any questions, please call any of the following people:

Thank you,

Kathie Kokenes -  
Georgia Milosovic -  
Bob Kokenes -

-----  
-----  
-----  
*Bob Kokenes*

**Robert J. Lovero**  
Mayor



**Thomas J. Pavlik**  
City Clerk

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
www.berwyn-il.gov

# APPLICATION

## FOR SPECIAL HOUSE AND GARAGE CASUAL SALE PERMIT

TODAY'S DATE: JULY 21, 2010

The undersigned hereby applied for a Special House and Garage Casual Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE CASUAL SALES."

Building Owners Name: GEORGIA MILOSOVIC IL

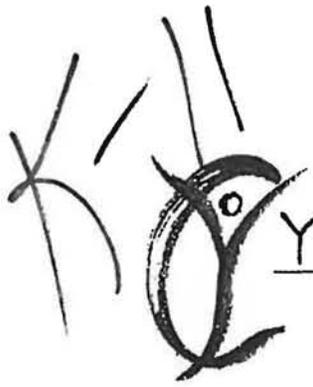
Address: \_\_\_\_\_

Address of Sale: 6535 STANLEY AVENUE BERWYN,

Phone No. 7 - - - - - 1-0 ' . . . . .

### PLEASE READ THE FOLLOWING CAREFULLY!

- Applicant for the license must be an OWNER of the premises where such sale is to be held.
- The sale shall involve only personal property items owned by the applicant or members of his or her household.
- No items for sale shall be located, and no sales activities shall be conducted, in the front yard area of any premises or on any public sidewalks, parkway area or other public property.
- All signs advertising such sale shall be located in the front yard area of the premises, and NO such sign, handbill or other advertising matter shall be permitted which is placed on any crosswalk, curb, curbstone, sidewalk, post, pole, stake, electrolier, hydrant, bridge, tree or other surface located on public property or over or across any street or public right of way, except as otherwise expressly authorized... City of Berwyn Ordinance 1476.14,(F) (I)
- The sale shall be limited to a consecutive period of not more than two (2) days and shall be conducted ONLY between the hours of 9:00 A.M. and 5:00 P.M.
- The sale shall be conducted WITHOUT the use of outdoor loudspeakers or other amplification equipment.
- The sale *shall be* conducted in accordance with all other laws or ordinances of the City.



Youth Crossroads, Inc.

Counseling & Family Support Services  
Formerly Youth in Crisis, Inc.

Mayor Robert Lovero  
And Berwyn City Council  
c/o Thomas J. Pavlik  
Berwyn City Clerk  
6700 W. 26<sup>th</sup> Street  
Berwyn, IL 60402

August 2, 2010

Dear Mayor Lovero and Berwyn City Council,

Youth Crossroads, Inc. (YC) requests approval from the City of Berwyn to conduct an Indoor/Outdoor Garage Sale fundraising event open to the public on Saturday, August 14, 2010 from 9am to 2pm at 7050 Ogden Ave, Berwyn (former Jack Phelan Dodge Dealership). Actual set-up time at that site and on that date would begin at 7:30am and we would vacate the site by 4pm.

YC intends to sell items donated to it by the public at the event to raise funds for agency operations. It is our intention to also "rent" 10' x 10' spots (indoors or outdoors) to parties interested in selling their own items at the event. Please find enclosed a Garage Sale promotional flyer.

YC has obtained a certificate of liability insurance for the event and has forwarded that to the current property owners, Citizens Community Bank. We do not foresee any additional city services that would be needed.

We certainly appreciate the support and confidence the City has shown YC throughout the years and would be grateful for your approval of this one-day event. Should there be any questions or concerns regarding this matter, please do not hesitate to contact me at your earliest convenience.

Sincerely,

David Terrazino  
Executive Director



Youth Crossroads, Inc.

[www.youthcrossroads.org](http://www.youthcrossroads.org)

# GIANT

Support  
youth services  
when you  
-DONATE  
-SELL  
-BUY  
items!

Indoor/Outdoor  
**Garage Sale**  
Fundraiser!

*See Back for list of items you can donate*

**Saturday, August 14, 2010**

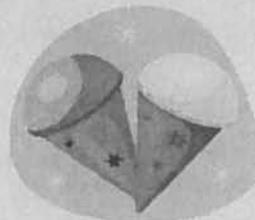
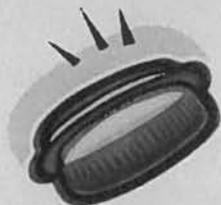
**9:00AM - 2:00PM**

**7050 Ogden Ave, Berwyn**

**(Formerly Jack Phelan Dealership)**

**Rent a 10' x 10' spot for \$25 or 2 spots for \$40.**

**Enjoy snacks while you're here!**



**If you would like to donate items or to rent a spot or two please call:  
Maria Ochoa at 708-484-7400 or email [MariaO@youthcrossroads.org](mailto:MariaO@youthcrossroads.org)**

# Youth Crossroads' Garage Sale!

If you have some of the following items you no longer want...  
You can donate them to YC to sell!  
Proceeds benefit youth services

- **Baby items**  
(strollers, car seats, walkers, high chairs, toys)
- **Electronics**  
(Radios, VCR / DVD Players)
- **Smaller furniture items**  
(side tables, lamps, small shelves)
- **Toys/Games**  
(with all pieces)
- **Kitchen items**  
(plate/cup/silverware sets, pans, mixers, toasters, blenders)
- **Books**
- **Interior Home Deco**  
(Paintings, wall hangings, etc...)

All items **MUST** be in good condition.

Last day for donations will be Friday, August 6, 2010 by 4:30PM

**Any questions about other items you'd like to donate**  
**Or for large item pick up service please contact:**  
Maria Ochoa @ 708-484-7400 or E-Mail @ [MariaO@youthcrossroads.org](mailto:MariaO@youthcrossroads.org)



## St. Michael and All Angels' Church

---

6732 WEST THIRTY FOURTH STREET • BERWYN, ILLINOIS 60402 • PHONE: (708) 788-2197

City of Berwyn  
6700 26<sup>th</sup> Street  
Berwyn, IL 60402

August 04, 2010

Dear Ladies and Gentlemen;

St. Michael and All Angels Church is planning to have a Rummage Sale on August 7-8, 2010.  
The Parish is respectfully requesting a City Permit for this activity.

Sincerely,

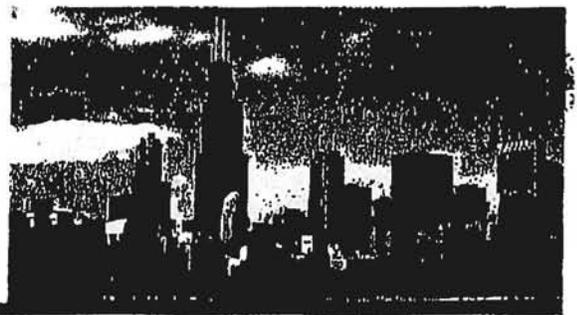
Father Carlos A. Plazas, Rector.

# Repairer of the Breach Community Center

"God So Loved The World" JOHN 3:16

2034 West 51st Street  
Chicago, Illinois 60609  
Phone 773-778-3068  
Fax 773-778-9583  
otisdavis1@sbcglobal.net

Otis Davis  
President



We here at REPAIRER of the  
BREACH MINISTERS are putting in  
a REQUEST to SOLICITATE in your  
VILLAGE of helping RAISE money  
our women & MEN recovery center  
Request dates 23<sup>RD</sup>, 24<sup>TH</sup>, 25<sup>TH</sup> August, 2010  
Request streets any that you HAVE!

Thank You  
Pastor Otis Davis



January 9, 2009

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

REPAIRER OF THE BREACH MINISTRIES  
2034 W. 51ST ST.  
CHICAGO, IL 60609

Lisa Madigan  
ATTORNEY GENERAL

~~RE:~~ Religious Exemption of REPAIRER OF THE BREACH MINISTRIES under the Charitable Trust Act and the Illinois Solicitation Act.

Dear Registrant:

We have reviewed the material supplied for REPAIRER OF THE BREACH MINISTRIES.

Based upon the information you have provided, REPAIRER OF THE BREACH MINISTRIES meets the qualifications of Section 3 (a) of 'An Act to Regulate Solicitation and Collection of Funds for Charitable Purposes,' and Section 4 of 'The Charitable Trust Act.' Therefore, it is a religious organization exempt from filing annual financial reports under the Charitable Trust and Solicitations Acts.

I would also call your attention to Section 12 of the Solicitations Act which states that it shall be unlawful for any Charitable organization to represent, directly or indirectly, for the purpose of solicitation and collection of funds for charitable purposes, in any form or manner whatsoever, that it has registered or otherwise complied with the provision of this Act.

In the event your organization should make any changes in the information which you supplied on the registration statement, such as the name, officers, address or purpose, you must notify us so that we may reflect those changes in our files.

Thank you for supplying this office with the information necessary to make this determination. If you should have any questions, please feel free to contact me at (312) 814-2595.

Very truly yours,

A handwritten signature in black ink, appearing to read "Janila Evans".

Janila Evans, Compliance Officer  
Charitable Trusts Bureau  
100 West Randolph Street, 11th Floor  
Chicago, Illinois 60601-3175