



City of Berwyn

City Council Meeting

October 23, 2012

BERWYN CITY COUNCIL MEETING
OCTOBER 23, 2012

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

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. REGULAR MEETING 10/9/12 – COW –10/9/12
- (D) BID OPENING–TABULATIONS
- (E) BERWYN DEVELOPMENT CORP.-BERWYN TOWNSHIP/HEALTH DISTRICT
 - 1. BDC-COMPREHENSIVE PLAN ADOPTION
 - 2. BDC-ORDINANCE - AMENDMENT TO THE WORLD OF BEER REDEVELOPMENT AGREEMENT
- (F) REPORTS AND COMMUNICATIONS FROM THE MAYOR
 - 1. MAYOR-NSP- PHASE IV PROCEDURES
- (G) REPORTS AND COMMUNICATIONS FROM THE CITY CLERK
 - 1. PROCLAMATION-LEAD POISONING PREVENTION WEEK
- (H) COMMUNICATIONS FROM (ZONING) BOARD OF APPEALS
- (I) REPORTS AND COMMUNICATIONS FROM ALDERMEN, COMMITTEES, OTHER BOARDS AND COMMISSIONS
 - 1. PAUL-POWER OUTAGE
 - 2. PAUL-DISPOSAL OF USED ELECTRONICS
 - 3. BERWYN HISTORIC PRESERVATION COMMISSION-NOMINATION OF 7100 W CERMAK ROAD, THE BERWYN WESTERN PLUMBING & HEATING BUILDING, AS A BERWYN HISTORIC LANDMARK
- (J) STAFF REPORTS
 - 1. PROJECT OPERATIONS MANAGER-2012 HOLIDAY DECORATION BID TAB RESULTS AND AWARD OF CONTRACT
 - 2. PROJECT OPERATIONS MANAGER-PARKING DECK ENERGY EFFICIENCY PROGRAM
 - 3. PUBLIC WORKS DIRECTOR-31ST STREET SEWER REPAIR

BERWYN CITY COUNCIL MEETING
OCTOBER 23, 2012

4. PUBLIC WORKS DIRECTOR-DISBURSEMENT OF THE 2012 MAINTENANCE OR MOTOR FUEL TAX FUNDS
5. ADMINISTRATIVE ASSISTANT TO THE MAYOR-CLEANING SERVICES
6. CITY ATTORNEY-SETTLEMENT OF CASE# 11 WC 015664
7. FINANCE DIRECTOR-2013 AUDIT
8. FINANCE DIRECTOR-GENERAL OBLIGATION BOND ORDINANCE- SERIES 2012A
9. BERWYN PUBLIC LIBRARY-REPLACEMENT OF A PAGE POSITION-13-15 HOURS

(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-10/10/12 - \$1,051,792.93
2. BUDGET CHAIR-PAYABLES-10/24/12- \$552,741.58
3. CLERK-HANDICAP SIGN-J. SPINA-2100 S HIGHLAND-DENY
4. CLERK-HANDICAP SIGN- M. MALDONADO-1525 S. HIGHLAND-DENY
5. CLERK-HANDICAP SIGN- E. PARRA-1408 S. KENILWORTH-APPROVE
6. MAYOR-NOTIFICATION OF WRITTEN ORDERS ENTERED AT CONCLUSION OF LIQUOR LICENSE HEARING PROCEEDINGS

ITEMS SUBMITTED ON TIME 23



THOMAS J. PAVLIK - CITY CLERK

In accordance with the provisions of the Americans with disabilities Act, any individual who is in the need of a reasonable accommodation in order to participate in or benefit from attendance at a public meeting of the City of Berwyn should contact Thomas J. Pavlik, City Clerk at 708/788-2660 as soon as possible before the meeting date.



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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**

C-1

MINUTES BERWYN
CITY COUNCIL
OCTOBER 9, 2012

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 present: Chapman, Boyajian, Paul, Skryd, Santoy, Polashek, Avila and Laureto.
2. The Pledge of Allegiance was recited and a moment of silence was had for the family of Elizabeth Saibic, mother-in-law of Berwyn Police Chief James D. Ritz and for the Men and Women on the streets of Berwyn protecting our safety, along with the Men and Women in the Armed Forces.
3. The Open Forum portion of the meeting was announced. David Olsen of Berwyn Historic Society spoke regarding Berwyn Historic Society Fundraiser Benefit on Wednesday, October 17, 2012 at Audre Mode. Anthony Griffin, Executive Director of the Berwyn Development Corporation presented the City with the Gold Award awarded at the International Economic Development Conference in Texas for the Gateway Plaza Redevelopment Project. Alderman Skryd announced the Berwyn Women's Club is hosting a Benefit on Thursday, October 11, 2012 at Riverside Restaurant from 11 a.m. to 7 p.m. Alderman Skryd also reminded everyone, October is Breast Cancer awareness month and the Berwyn Fire Department will be holding "Pass the Helmet Drive" on October 27, 2012. Also, Violets Flowers once again is hosting their 3rd Annual Cancer Awareness "Flowers for Hope" fundraiser Saturday, October 13, 2012.
4. The minutes of the Berwyn City Council meeting, the Committee of the Whole and Public Hearing held on September 25, 2012 were submitted. Thereafter, Avila made a motion, seconded by Polashek to concur and approve as submitted. The motion carried by a voice vote.
5. The Berwyn Development Corporation submitted a communication regarding an Amended TIF Application Letter- Berwyn Park District, Karban Park. Thereafter, Boyajian made a motion, seconded by Chapman, to concur and approve as submitted in an amount not to exceed \$19,975.72. The motion carried by the following call of the roll. Yea: Chapman, Boyajian, Paul, Santoy, Polashek, Avila, Laureto. Nay: Skryd.

MINUTES BERWYN
CITY COUNCIL
OCTOBER 9, 2012

6. The Zoning Board of Appeals submitted a Ordinance entitled:

AN ORDINANCE APPROVING A CONDITIONAL USE FOR A GROUP MEDICAL FACILITY IN A RETAIL OVERLAY DISTRICT IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT AT 3200 S. OAK PARK AVENUE/6801 W. STANLEY, BERWYN, ILLINOIS

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

7. The Assistant Chief of the Berwyn Fire Department submitted a communication regarding the Purchase of a Replacement Fire Department Vehicle. Thereafter, Polashek made a motion, seconded by Skryd, to concur and approve as submitted in an amount not to exceed \$47,194.00. The motion carried by a unanimous roll call vote.
8. The Public Works Director submitted a communication regarding authorization to request sealed bids for Dump Body Replacement for M-18. Thereafter, Boyajian made a motion, seconded by Polashek to concur and grant permission to seek sealed bids. The motion carried by a unanimous roll call vote.
9. The City Attorney submitted a communication regarding the settlement of case #11WC20958. Thereafter, Chapman made a motion, seconded by Skryd to concur and approve for payment in an amount not to exceed \$14,191.22. The motion carried by the following call of the roll. Yea; Chapman, Boyajian, Paul, Skryd, Santoy, Avila, Laureto. Abstain: Polashek.
10. The City Attorney submitted a communication for the settlement of case #11WC20959. Thereafter, Chapman made a motion, seconded by Skryd to concur and approve for payment in an amount not to exceed \$34,633.78. The motion carried by the following call of the roll. Yea: Chapman, Boyajian, Paul, Skryd, Santoy, Avila, Laureto. Abstain: Polashek.
11. The City Attorney submitted a communication regarding an Intergovernmental Agreement between the City of Berwyn and the Berwyn Park District for the Funding of Storm Water Improvements at Proksa Park. Thereafter, Paul made a motion, seconded by Boyajian,

MINUTES BERWYN
CITY COUNCIL
OCTOBER 9, 2012

to concur and approve as submitted. The motion carried by a unanimous roll call vote.

12. The City Attorney submitted an Ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 888, SECTION 888.06, OF THE CODIFIED ORDINANCES REGARDING TRANSFERS EXEMPT FROM TAX FOR THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS.

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

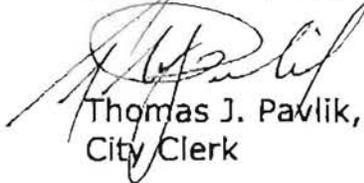
13. The Public Works Director submitted a communication regarding authorization to request sealed bids for the supply and installation of 12 inch water valves on Cermak Road. Thereafter, Avila made a motion, seconded by Polashek, to concur and grant permission to seek sealed bids. The motion carried with a unanimous roll call vote.
14. The Projects Operations Manager submitted a communication for the 2012 Holiday Decorations RFP. Thereafter, Chapman made a motion, seconded by Boyajian to concur and grant permission. The motion carried with a unanimous roll call vote.
15. The Consent Agenda Items K-1 through K -13 were submitted:
- K-1 Budget Chair-Payroll-9/26/12-\$965,940.76-**Approve**
 - K-2 Payables-10/9/12 - \$1,259,496.57-**Approve**
 - K-3 Collections and Business Licenses issued for September, 2012
 - K-4 Building and Local Improvement Permits for September, 2012
 - K-5 Stickney-Forest View Lions Club-Candy Day-Soliciting-10/12/12 & 10/13/12
 - K-6 North Berwyn Park District-Request Street & Alley Way Closures Surrounding Berwyn Gardens Park Fall Festival-10/20/12
 - K-7 Berwyn Fire Fighters Local 506 Cancer Drive-"Pass the Helmet Drive" 10/27/12

Thereafter, Avila made a motion, seconded by Laureto, to concur and approve by Omnibus vote designation. Motion carried by a voice vote.

MINUTES BERWYN
CITY COUNCIL
OCTOBER 9, 2012

16. Alderman Paul called a Parking and Traffic Committee meeting for Thursday, November 15, 2012 at 5:30 p.m. Berwyn Police Department Cmdr. O' Halloran, Cmdr. Paolucci and Marcia Cohen, invited to attend.
17. There being no further business to come before the meeting, same was after a motion by Laureto, seconded by Skryd, to adjourn at the hour of 8:21 p.m. The motion carried by a voice vote.

Respectfully Submitted,



Thomas J. Pavlik, CMC
City Clerk

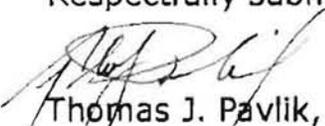
**MINUTES
BERWYN CITY COUNCIL
COMMITTEE OF THE WHOLE
October 9, 2012**

1. Mayor Lovero called the Committee of the Whole to order at 6:31 p.m., upon the call of the roll; the following responded present: Chapman, Boyajian, Skryd, Santoy, Polashek, Avila, and Laureto. Absent: Paul. Thereafter Boyajian made a motion, seconded by Polashek, to excuse Alderman Paul. Motion carried by voice vote.

Note: Paul present at 6:32 p.m.

2. The Mayor stated he had no business for the open portion of the Committee of the Whole and asked if there were any questions regarding agenda items. Paul questioned item E-1, BDC TIF Application for Berwyn Park District Karban Park and questioned any deed restrictions regarding land use. Skryd questioned if the Berwyn Park District had anything in writing regarding same from the Karban family. Executive Director of the Berwyn Development Corporation, Anthony Griffin stated Berwyn Park District Director Jeff Janda would be available at the City Council meeting to answer any specific questions regarding Karban Park.
3. Paul questioned item J-5, IGA with the Berwyn Park District regarding storm water improvements for Proksa Park and if the additional funds were coming from the Public Works budget. P/W Director Robert Schiller answered, yes.
4. There being no further business for the Open Committee of the Whole, the Mayor asked for a motion to go into Closed Session for pending litigation and real estate. Thereafter, Polashek made a motion, seconded by Skryd, to close the Committee of the Whole at 6:40 p.m. The motion carried by a voice vote.
5. A Motion was made in Closed Session to re-open the Committee of the Whole by Skryd, seconded by Boyajian, at 7:45 p.m. The motion carried by a voice vote.
6. A motion was made Avila, seconded by Boyajian, to adjourn the Committee of the Whole, at 7:45. The motion carried by a voice vote.

Respectfully submitted,


Thomas J. Pavlik, CMC
City Clerk



D. Bid Openings Tabulations



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



E-1

October 23, 2012

**Mayor Robert J Lovero
Members of the Berwyn City Council
Berwyn City Hall
6700 West 26th Street
Berwyn, IL 60402**

Re: Comprehensive Plan Adoption

Dear Mayor and City Council,

After careful consideration, the Comprehensive Plan Steering Committee is recommending the approval and adoption of the new Berwyn Comprehensive Plan.

After completing a year-long planning process which started with the Berwyn City Council approval of a resolution in June, 2011 to accept free Local Technical Assistance from Chicago Metropolitan Agency for Planning (CMAP), an updated comprehensive plan has been drafted for the City of Berwyn. The plan will help guide future land use, urban planning and development decisions for the City. It will aid the City in securing new funding opportunities by applying for grants which support the comprehensive plan. The plan also consolidates many previous studies. CMAP and the BDC presented the final plan to Council and the public at a hearing on September 25, 2012.

With the consent of the City Council, the City of Berwyn can adopt plan and begin the work on the recommended implementation steps.

Respectfully,

Kurtis Pozsgay



October 19, 2012

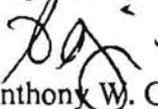
**Mayor Robert J Lovero
Members of the Berwyn City Council
Berwyn City Hall
6700 West 26th Street
Berwyn, IL 60402**

Re: Amendment to the World of Beer Redevelopment Agreement

Dear Mayor and City Council,

The developer for the World of Beer franchise is seeking consideration of the attached Amendment to Redevelopment Agreement for the sale of the former bank building located at the southwest corner of Oak Park and Cermak. The development group, Imagine Properties, is seeking a time extension for the project. The need for the extension, per the developer, is due to unexpected delays on their current construction of a World of Beer unit within the Chicago region. The proposed extension does come with a \$25,000 penalty if they fail to meet the revised timeline.

Respectfully submitted for your consideration,


Anthony W. Griffin

THE CITY OF BERWYN
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER _____

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A FIRST AMENDMENT TO AN AGREEMENT WITH IMAGINE PROPERTIES, LLC FOR THE CITY OF BERWYN, STATE OF ILLINOIS.

Robert J. Lovero, Mayor
Thomas J. Pavlik, City Clerk

Nona Chapman
Jeffrey Boyajian
Margaret Paul
Michele Skryd
Cesar Santoy
Theodore Polashek
Rafael Avila
Nora Laureto
Aldermen

ORDINANCE No. _____

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A FIRST AMENDMENT TO AN AGREEMENT WITH IMAGINE PROPERTIES, LLC FOR THE CITY OF BERWYN, 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(a) of the Illinois Constitution (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 City is the owner of that certain real property commonly known as “Berwyn National Bank Property” (the “Subject Property”), which is located at or about 6801 West Cermak Road, Berwyn, Illinois; and

WHEREAS, previously, the Mayor and City Council (collectively, the “Corporate Authorities”) determined that it was in the best interests of the City and its residents to convey the Subject Property to Imagine Properties, LLC (the “Developer”); and

WHEREAS, in accordance with the foregoing, the City entered into a certain redevelopment and land acquisition agreement (the “Agreement”), to convey the Subject Property to the Developer; and

WHEREAS, to address certain unforeseen issues related to the planned redevelopment of the Subject Property (the “Project”) the City and the Developer have determined that it is necessary to enter into a First Amendment to Redevelopment and Land Acquisition Agreement (the “Amendment”), attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the Amendment, among other things, provides the Developer with an extended timeframe for the completion of its plans and drawings for the Project and for its commencement of

construction; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is in the best interests of the City and its residents to enter into the Amendment; and

WHEREAS, the Mayor is authorized to enter into and the City's legal counsel is authorized to revise agreements for the City making such insertions, omissions and changes as shall be approved by the Mayor and the City's legal counsel; and

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. The statements set forth in the preamble to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth fully herein.

Section 2. The City Council hereby finds and determines that it is necessary and advisable and otherwise in the best interests of the City to execute, enter into and approve an amendment with terms substantially similar to the terms set forth in Exhibit A.

Section 3. The Amendment is hereby approved with such insertions, omissions and changes as shall be approved by the Mayor and the City's legal counsel.

Section 4. The City's legal counsel is hereby authorized to negotiate additional terms of the Amendment as needed and undertake any and all actions on the part of the City necessary to effectuate the intent of this Ordinance.

Section 5. The Mayor is hereby authorized and directed to execute the Amendment, with such insertions, omissions and changes as shall be approved by the Mayor and the City's legal counsel. The City Council further authorizes the Mayor or his designee to execute any and all additional documentation that may be necessary to carry out the intent of this Ordinance. The

officers, employees and/or agents of the City are authorized and directed to take all action necessary or reasonably required by the City to carry out, give effect to and consummate the transaction contemplated herein and shall take all acts necessary in conformity therewith. The City Clerk is hereby authorized and directed to attest to and countersign any such documents, as required.

Section 6. 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 7. 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 8. All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 9. This Ordinance shall be immediately in full force and effect after passage, approval and publication. A full, true and complete copy of this Ordinance shall be 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, Cook County, Illinois on this 23rd day of October 2012, pursuant to a roll call vote, as follows:

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

APPROVED this 23rd day of October 2012.

ATTEST:

Robert J. Lovero
MAYOR

Thomas J. Pavlik
CITY CLERK

EXHIBIT A

FIRST AMENDMENT TO REDEVELOPMENT
AND LAND ACQUISITION AGREEMENT

THIS FIRST AMENDMENT TO REDEVELOPMENT AND LAND ACQUISITION AGREEMENT (this "Amendment") is made and entered into as of the ____ day of October, 2012, by and between CITY OF BERWYN, an Illinois municipal corporation (the "City"), and IMAGINE PROPERTIES, LLC, an Illinois limited liability company (the "Developer").

WHEREAS, the City and the Developer are parties to that certain Redevelopment and Land Acquisition Agreement dated June ____, 2012 (the "Agreement") that sets for the terms under which the City will convey to the Developer the property commonly known as "Berwyn National Bank Property" with a common address of 6801 West Cermak Road, Berwyn, Illinois (the "Property"); and

WHEREAS, the parties wish to extend the period in which the Developer has to complete the plans and drawing and to commence construction.

NOW THEREFORE, in consideration of the foregoing premises and mutual covenants and conditional hereinafter contained, the parties hereto agree as follows:

1. Preamble. The recitations hereinabove set forth in the preamble are hereby adopted by this reference and incorporated herein, the same as though set forth in full context.
2. Government Approval Period. Section II O. of the Agreement is hereby modified as follows:
 - a. Developer shall enter into an architectural services agreement with an architect for the completion of the plans, drawings, and specifications necessary to obtain Government Approval from the City by November 15, 2012.
 - b. Developer shall submit all necessary documents for Government Approval with the City on or before December 31, 2012.
 - c. The Government Approval Period shall be extended to January 15, 2013.
 - d. In consideration for the extension of the Government Approval Period to December 31, 2012, the Developer hereby agrees to deposit with Title Company the amount of \$25,000.00 ("Earnest Money") by wire transfer or cashier's check made payable to Title Company, within 24 hours of the City's execution of this Amendment, which Earnest Money shall immediately be returned to the Developer in the event the City is not able to consummate the closing of the East Property. Failure by Developer to pay the Earnest Money to Title Company shall be an automatic default under the Agreement. In the event the Developer fails to either submit all necessary documents for Government Approval with the City on or before December 31, 2012, or consummate the sale of the East Property by the East Property Closing Date, the Earnest Money shall be transferred to the City and the Developer agrees to execute any and all documents necessary to release

the Earnest Money.

3. Representations and Warranties. The following subparagraph shall be added to Section III A. of the Agreement:

(17) Developer shall commence renovation and/or construction of the Redevelopment Project within ten (10) business days after the East Property Closing Date.

4. Conflict. To the extent that the provisions of the Agreement are inconsistent with the provisions of this Amendment, the provisions of this Amendment shall control.

5. Entire Agreement. The entire agreement of the parties as set forth in this Amendment and in the Agreement as amended hereby. No prior agreement or understanding with respect to the Agreement and this Amendment shall be valid or of any force or effect.

6. Terms of the Agreement Binding. All provisions of the Agreement and any previous Amendment not amended or modified by this Amendment shall be and remain in full force and effect.

7. Capitalized Terms. All capitalized terms not otherwise defined herein shall have the respective meanings given such terms in the Agreement.

[Signatures on next page.]

IN WITNESS WHEREOF, the parties hereto have executed this amendment as of the day and year first written above.

CITY:

CITY OF BERWYN

DEVELOPER:

IMAGINE PROPERTIES, LLC

By: _____

Name: _____

Title: _____

By: _____

Name: Ted Mavrakis

Title: Manager



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

The City of Berwyn



Robert J. Lovero
Mayor

F-1

A Century of Progress with Pride

October 23, 2012

To: Members of the Berwyn City Council

Re: **NSP Phase IV Procedures**

Members of City Council:

Please find the attached communication from the Community Development Department regarding proposed bidding procedures for Phase IV of the NSP Program. These proposed procedures, which are in line with previous phases, have allowed for the City to expedite the construction process and led to the award of additional funding through the NSP Program.

Recommendation:

Waive the formal bidding process and allow for the Community Development Department to solicit, award and manage contracts based on the lowest, most responsive quote.

Respectfully,

Robert J. Lovero
Mayor

RJL/eks



Community Development Department

Robert J. Lovero, Mayor
Robert E. Dwan, Director
6420 W. 16th Street * Berwyn, Illinois 60402
Office: 708-795-6850 FAX: 708-749-9457

TO: Robert J. Lovero, Mayor
City Council Members

FROM: Robert E. Dwan
Cynthia Montavon

DATE: October 16, 2012

RE: Request to Waive Normal Bid Procedures – NSP Program

=====

The NSP Program is now in full swing. Currently there are 6 units completed (2 may have additional work done on them), 8 units are at the “punch list” stage, and another 8 units are starting construction this week. All told, we are working in one way or another on 18 units. All of this work was let using Berwyn’s normal bidding procedures.

On October 12, 2012, we met with the Illinois Housing Development Authority (“IHDA”) to discuss our approach to the final construction and draw-down of funds. As you may recall, the NSP grant funds must be spent by March, 2013 (Federal requirement). While our plans were approved, we were informed by IHDA they now want all grant funds to be spent by December 31, 2012 (all NSP grant funds, not just Berwyn’s).

IHDA’s reason for drastically shortening the timeline was to allow for a last minute re-allocation of grant funds if it appeared any sub-recipient was not able to spend the funds in time. By giving themselves a 3 month cushion, IHDA has time to re-allocate dollars and get them spent before any unspent funds must be returned to the Federal government in March, 2013. You will recall our original grant was for only \$1.8 million, but because of our ability to achieve our goals in an expedited manner, IHDA has, on 2 separate occasions, re-allocated additional amounts to the City. At this time our total grant has been increased to \$4.8 million.

To guarantee meeting (and exceeding) IHDA’s timeline, we must begin some of the work on what we refer to as Phase IV Homes. Phase IV Homes consist of 3 multi-family units we did not plan to begin work on until early next spring. At this stage our Phase IV Homes have only a rudimentary construction plan in place. Because of IHDA’s request, we are accelerating our schedule, and specifications are being prepared for work to the roofs, masonry, and concrete areas of Phase IV Homes.

We would like to take this opportunity to thank Building Director Chuck Lazzara for dropping everything to work on these specifications.

Accordingly, because of this accelerated performance schedule it will be difficult, if not impossible, to comply with the City's normal bidding process. Therefore, we are asking the City Council to waive the City's normal bidding requirement for NSP work contracted for after October 23, 2012, and allow us to obtain quotes for work done on NSP properties.

While we anticipate most, if not all, of the work will be under \$15,000 per project, it is possible a last minute quote could be over that amount, or the aggregate amount on any property could be over the limit. Accordingly, we are seeking City Council permission now to avoid any missteps.

Pursuant to City practice, we will obtain quotes from at least 3 contractors for each additional project we have done. We will request quotes from those contractors who have previously done work for the City or the Community Development Department's Single Family Rehab Program. In addition, no contractor will be allowed to contract for more than one of these projects to ensure all work is completed within IHDA's time constraints.

Should the City Council grant our request, the Mayor has directed we continue to maintain the process in an open and transparent manner. We will require each person who quotes a job to provide same to this Department in a sealed envelope. We will open all the envelopes at the same time, and in public.

If you have any questions, we are available as you require.



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

The City of Berwyn



Thomas J. Pavlik
City Clerk

A Century of Progress with Pride

8700 West 26th Street Berwyn, Illinois 80402-0701 Telephone: (708) 788-2880 Fax: (708) 788-2875
www.berwyn-il.gov

October 19, 2012

To: Mayor and City Council

Fr: Tom Pavlik, City Clerk

Re: Proclamation-Lead Poisoning Prevention Week

Ladies and Gentlemen,

Attached you will find a Proclamation proclaiming October 21-27, 2012 Lead Poisoning Prevention Week in the City of Berwyn. Also attached is an informational flyer from the Berwyn Public Health District regarding lead testing. In honor of Lead Poisoning Prevention Week, the Berwyn Public Health District is offering FREE screenings to Berwyn residents the week of October 21-27, 2012. For more information or to make an appointment, please call (708) 788-6600. Your concurrence in adopting the proclamation as presented is requested.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Pavlik", is written over the typed name.

Thomas J. Pavlik, CMC

The City of Berwyn



Robert J. Lovero
Mayor

A Century of Progress with Pride

8700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2680 Fax: (708) 788-2675
www.berwyn-il.gov

PROCLAMATION

**Lead Poisoning Prevention Week
October 21 - 27, 2012**

WHEREAS, the City of Berwyn supports a healthy and safe environment for all of our children and families; and

WHEREAS, Berwyn is dedicated to protecting the health of our youngest residents; and

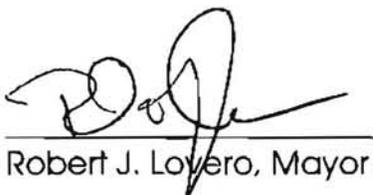
WHEREAS, even in low amounts, lead poisoning can cause irreversible brain damage, shortened attention span, hyperactivity, aggressive behavior, learning disabilities, and other health and developmental problems for children; and

WHEREAS, lead paint in housing units and child care centers built before 1978 represents a risk for our children, and residents should take necessary precautions when engaging in renovation or repair of these buildings to reduce the risk of lead poisoning; and

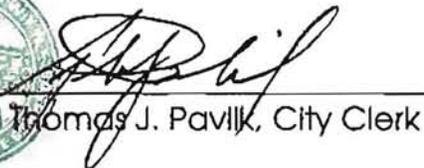
WHEREAS, Berwyn encourages all residents, especially parents and child care providers to be aware of the dangers of lead poisoning and seek appropriate testing for their children as a tool to prevent lead poisoning;

NOW, THEREFORE, I Mayor Robert J. Lovero and the Berwyn City Council, do hereby proclaim October 21 - 27, 2012, CHILDHOOD LEAD POISONING PREVENTION WEEK in the City of Berwyn, and encourage all of our residents to work together to combat the threat of lead poisoning.

Entered upon the record in the City of Berwyn, this 23rd day of October, 2012


Robert J. Lovero, Mayor




Thomas J. Pavlik, City Clerk



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



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



I-1

Margaret Paul

3rd Ward Alderman

www.marge3rdward@sbcglobal.net

708.788.3361

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

October 18, 2012

Ladies and Gentlemen:

On October 17, 2012, residents living on the 3100 block of Clinton experienced a power outage. The outage began at approximately 10:00 p.m. and lasted several hours. A resident of the block told me that the Berwyn Fire Department responded to the event. A large tree limb had fallen on the power lines running down the alley between the 3200 blocks of Home and Clinton.

This is the 5th such power outage caused by falling limbs from dead and diseased trees in the vicinity of the power line at or near 3201 Home Avenue. The last three events have occurred since July 2012.

One such event occurred during an extreme weather event with summer heat temperatures rising beyond 90°. The blackout lasted more than 48 hours. This caused a financial loss as many residents not only lost food in freezers but were required to stay in hotels while ComEd repaired the line.

Within a month, another high wind event caused a similar blackout. While each event has high winds as a precursor, there can be no denying that the brittle dead and diseased trees along the 32nd Street parkway and in the alley near where the alley intersects with 32nd Street are equally the culprit.

I respectfully ask you to authorize the Public Works Director Robert Schiller to hire a tree service to remove all dead trees and trim back all tree limbs on city owned land in the vicinity of the power line running down the alley from the "T" alley intersection north of Stanley north between the 3200 blocks of Home and Clinton and across where the line intersects 32nd Street then running north between the 3100 blocks of Home and Clinton.

Further, I request that the City Council to direct the Public Works Department to declare the trees in the backyard of 3201 Home as "unsafe" as outlined in Berwyn Ordinance 102.09 (A) (2), direct the removal of the trees immediately and send the cost of the tree removal to the homeowner.

Very truly yours,

Margaret Paul

I-2



Margaret Paul

3rd Ward Alderman

www.marge3rdward@sbcglobal.net

708.788.3361

To: Robert J. Lovero, Mayor, and
Members of the Berwyn City Council

October 18, 2012

Dear Mayor Lovero and Council Members:

Many Berwyn residents are interested in disposing of used electronics at the Public Works Recycling Center. The current advertised hours of operation for collection are Monday through Friday from 8:00 a.m. until 2:00 p.m.

While it is admirable for the City of Berwyn to offer this service, the hours of operation are not in synch with the needs of our residents. Many more residents would utilize this service if collection hours were extended or if the collection center was open on Saturdays.

I request that the hours of operation of the Public Works Recycling Center be extended or changed to meet the needs of residents. Therefore, I propose that the center be open to the public one Saturday each month and that an alternative collection center, perhaps at one of the City's firehouses, be opened from 5:00 p.m. until 9:00 p.m. on Tuesdays.

This would make it possible for Berwyn residents to more readily comply with Illinois State law prohibiting us from disposing of used electronics in trash pickup.

Very truly yours,

Margaret Paul

Robert J. Lovero
Mayor



Berwyn Historic
Preservation Commission

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675
www.berwynpreservation.org

**Report and Recommendation of the
Berwyn Historic Preservation Commission**

Date: October 18, 2012

Re: Nomination of 7100 W. Cermak Road, the Berwyn Western Plumbing & Heating building, as a Berwyn Historic Landmark

To: Mayor Robert J. Lovero and the Members of Berwyn's City Council

From: The Berwyn Historic Preservation Commission

Report:

The Berwyn Historic Preservation Commission held a public hearing on September 27, 2012, which was publicized as required by the Berwyn Historic Preservation Ordinance. Six members of the Commission, and four members of the public were present:

BHPC Members in Attendance

Lori Thielen
Doug Walega
Rebecca Houze

Michael Plummer
Michael DeRouin
Jamie Franklin
(Nasri Mansour, excused)

Others in Attendance

Keith Amendola, President, Berwyn Western, 7100 W. Cermak Rd., Berwyn, IL, 60402
Timothy Hague, Keystone Ventures Real Estate Development, LLC, 418 Clinton Place, River Forest, IL, 60305
Gregory L. Dose, Attorney at Law, 835 McClintock Dr., second floor, Burr Ridge, IL 60527
Michael Flight, Concordia Realty, 10031 W. Roosevelt Road, suite 200, Westchester, IL 60154

The subject of the hearing was the nomination of the Berwyn Western building, located at 7100 W. Cermak Road, as a Berwyn Historic Landmark, as the recommendation of the **Illinois Historic Preservation Agency's State Architect, the City's Cermak Road Survey, and 2011 survey done by The School of the Art Institute of Chicago**. Following is a report on those proceedings:

Thielen called the meeting to order, conducted roll call, and opened the public hearing.

Thielen stated that the property at 7100 W. Cermak Road, also known as the Berwyn Western Building, received a preliminary designation of eligibility at the June 21, 2012 meeting of the BHPC. The scheduled August 2, 2012 public hearing for the nomination was deferred to September 27, 2012 at the request of the property owner. According to the BHPC, the building meets the following criteria for historical significance:

-Architectural, cultural, economic, historic or social significance (criterion no. 1)

- Embodiment of those distinguishing characteristics of significant architecture type, or style, or engineering specimen. "Significant" means the relative importance of the architectural type, or style, or engineering specimen. (criterion no. 5)
- Contains design elements, detail, material or craftsmanship that make the property or building structurally or architecturally innovative, rare or unique (criterion no. 7)
- Representation of a theme, style, or period (criterion no. 8)

Commissioner Houze introduced the nomination with a brief presentation, which was followed by testimony from members in attendance: Gregory Dose, attorney representing Keith Amendola, President of Berwyn Western opposed the landmark nomination as detrimental to the proposed plans to redevelop the block in which the building is located; Keith Amendola thanked the BHPC for its nomination of the Berwyn Western building and current location of his long-standing family business as a historic landmark, but opposed the nomination on the grounds that the cost of preserving and renovating the building in its current state are prohibitive; Mr. Amendola presented the BHPC with a list of renovation costs delineating such expenses; Timothy Hague's brother, architect associated with Keystone Ventures Real Estate Development, objected to the nomination on an architectural basis in disagreement with those sources supporting the nomination; Mr. Hague presented his objections in a written letter to the BHPC.

Following testimony, Commissioners conducted a brief question and answer session.

A motion was put forward that the BHPC accept the nomination for consideration, and to decide whether or not to recommend the Berwyn Western building to City Council as a Berwyn Historic Landmark within 45 days as per the Berwyn Historic Preservation Ordinance; the motion was seconded and was passed by a unanimous vote of 6-0.

The BHPC met again on October 11, 2012 for the scheduled monthly meeting, with a quorum of five Commissioners in attendance. At that time, a motion was put forward to vote to recommend the Berwyn Western building as a Berwyn Historic Landmark, the motion was seconded, and passed by a vote of 4-1.

Recommendation:

The Commission therefore recommends that the City Council designate the Berwyn Western Plumbing and Heating Co. building as a Berwyn Historic Landmark pursuant the Berwyn Historic Preservation Ordinance. That section holds that within 30 days of receiving this Report and Recommendation,

City Council shall either designate the historic landmark or reject the nomination by a simple majority vote of the full Council. In making this determination, the City Council shall apply the designation standards set forth in Section 1478.04 above and shall give due consideration to the record of the public hearing(s), and findings and recommendations of the Commission set forth in the Commission's resolution and report and may take public testimony with regard to the same. Upon a majority vote of the City Council to approve designation, the City Council shall enact an ordinance designating the historic landmark, which ordinance shall provide that the newly designated historic landmark shall be the subject to the provisions of Chapter 1478 of the City Code.

The Commission is available to answer questions or provide information regarding this Report and Recommendation. Please contact the Commission at berwynpreservation@gmail.com.

Robert J. Lovero
Mayor



**Berwyn Historic
Preservation Commission**

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6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675
www.berwynpreservation.org

HISTORIC LANDMARK NOMINATION FORM

(Revised 4/27/2012)

This form is for use in applying to the City of Berwyn for designation of a property as a Berwyn Historic Landmark. Please read the instructions for completing the form before filling it out, and please complete the entire form. If any item does not apply to the property being documented, enter "N/A" or "not applicable." Completed forms should be submitted to the attention of: **Berwyn Historic Preservation Commission, Berwyn City Hall, 6700 West 26th Street, Berwyn, IL 60402.**

Historic name Berwyn Western Plumbing and Heating Company

Current/Common name Berwyn Western Plumbing and Heating Company

2. Location

Address 7100 W. Cermak Road, Berwyn, IL

Zip Code 60402

3. Function or Use

Current Use Berwyn Western Plumbing and Heating Company
storefront and business.

Historical Use Berwyn Western Plumbing and Heating Company
storefront and business.

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

4. Classification

Category of Property (check one) **Building(s)** Site
 Structure Object

Type of Ownership (check all that apply) **Private** Public (City of Berwyn)
 Public (other local) Public (State/Federal)

5. Property Owner(s)

Name Keith Amandola

Address 7100 West Cermak Road, Berwyn, IL 60402

6. Description of Property

Architectural Style Mid-Century Modern

Materials

Foundation Brick and stone mixture

Exterior Walls Brick

Windows Glass with metal framing

Roof Flat roof not visible from street level. Unknown materials.

Structures on Property

1. Original storefront includes aluminum canopies. Plastic backlit signage combined with neon
2. signage.
3. Two-story curtain flat glass façade.

(Please provide a full physical description of the architectural features of the property, using the continuation sheet provided at the end of the Form; refer to the Instructions for further guidance.)

Narrative Description

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

7. Significance of Property

Necessary Criteria (check all that apply)

- Architectural, cultural, economic, historic or social significance**
- Site of historic event
- Identification with significant person
- Existence on National Register
- Embodiment of significant architectural/engineering type**
- Identification with notable architect or builder
- Design elements or materials making building innovative, rare or unique**
- Representation of theme, style or period**

Berwyn Bungalow

- (Please read and attach the Thematic Documentation for Multiple Property Designation, "CHICAGO STYLE BUNGALOWS IN BERWYN, IL.")

1962

source: Cermak Road Architectural and Historical Survey;
Chicago Tribune advertisements October 1961-April 1962

Date of Construction listing address of business

Other Significant Dates _____

Architect/Builder (if known) unknown

Statement of Significance (Please see attached.)

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

8. Major Bibliographical References

(Please see attached.)

9. Legal Description

Legal Description Lots 416 and 417 of section 19, township 39,
range 13 of the Berwyn Gardens subdivision.

10. Form preparer

Name/Title Rebecca Houze; research and narratives by Juan
Fernandez

Organization Berwyn Historic Preservation Commission

Address 6700 West 26th Street, Berwyn, IL 60402

Phone Number 708-788-2660

11. Owner's consent

(Owner was contacted by telephone and mail multiple times; did not return call.)

12. Photographs

(Please see attached)

13. Site Plan

(Please see aerial view of property attached)

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

14. Rights and Responsibilities

Sign and attach Rights and Responsibilities of Historic Certification form.

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

Continuation Sheet—No. 6

(Attach additional pages as necessary.)

Narrative Description of Property

Prepared by Juan Fernandez

The façade of Berwyn Western Plumbing and Heating Company, which faces South on West Cermak Road on the northwest corner of Cermak Road and Wisconsin Avenue, is two stories high, and features massive glass windows framed by metal strips and overhanging aluminum canopies. The glass and metal storefront envelops the entire South facing side of the building and approximately half of the Eastern facing exterior wall. The building is not completely free standing, but is connected to the neighboring business via the Western wall. The property owners lease a space to a building within the rear northeastern section of the building.

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

Continuation Sheet—No. 7

(Attach additional pages as necessary.)

Statement of Significance

Prepared by Juan Fernandez and Rebecca Houze

Berwyn Western Plumbing and Heating Company is a family owned and operated local business established in 1950. In its early years, the business occupied at least two different storefronts along Cermak Road. Advertisements from the *Chicago Tribune* from May 1953-January 1954 list the business location as 6640 West Cermak; from September 1954 to October 1961 the business address was 7002 West Cermak; it has resided in its current location at 7100 since at least April 1962. The advertisements illustrate a range of products sold by Berwyn Western Plumbing and Heating Company throughout the 1950s and early 1960s, including automatic “time-saving” dishwashers, “E-Z clean” aluminum furnace filters, Crane bathrooms, Tilemaster plastic wall tile, Youngstown Kitchens steel unit cabinet sinks, GE cast iron gas furnaces, and Formica kitchens. Berwyn Western Plumbing and Heating Company meets multiple criteria for historic significance, embodying a historic architectural design style and use of materials, as well as the social, cultural, commercial, and business history of Berwyn.

The Berwyn Western Plumbing and Heating Company building located at 7100 West Cermak Road was built in 1962 in an architectural style that has been defined as Mid-Century Modern. The choice of architectural style was both a response to pre-war 1920s and 1930s technological material advancements, and a desire to increase retail product exposure using an “open front” store design. This movement was also motivated by the merchant’s need to attract the consumer to buy newer products.

The typical evidence of Mid-Century Modern design include large glass curtain walls, typically aluminum metal framing, angled walls or signage, an asymmetrical storefront entrance, channel-set neon signage, and canopies or awnings, all of which were designed to attract people to the store fronts. These choices are evident in the façade of the Berwyn Western Plumbing building. These design choices illustrate the merchants’ efforts to display their new products within a modern sleek storefront. The glass windows allow for the perception of open space, with entire storefront on display, and allow the interior light to spill out into the street, potentially enticing nighttime window shoppers.

Architect Anthony Rubano, Illinois Historic Preservation Agency, prepared the following statement regarding the Berwyn Western Plumbing building:

“This building is perhaps the most starkly Modernist structure in Berwyn’s commercial center. The front and side elevations are almost entirely glass with minimized bulkheads and soffits. Blade canopies on both stories shade the immense area of glass and provide horizontal movement to the composition. Signage here is integral to the design and not an afterthought, as it is on the Back Center. The linear force of the canopies is counterbalanced by two large and historic signs—a projecting sign near the corner and an outward-angled panel sign within a thick steel frame to the left of the composition. The east sign was produced during the brief period when the sign industry transitioned from neon to internally lit plastic. Employing both, this eye-catching example penetrates the upper canopy with a circular logo visible from blocks in either direction. The two-story panel sign to the west also signals the store’s entrance, contained within a recessed vestibule. The

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

completely transparent front and side elevations of the building are in line with the most current contemporary theories of retail design, which suggested that the entire store, rather than merely selected merchandise, should be on display. Architectural transparency was taken as a metaphor for a transparency in business dealings as well as an embrace of customer service. Berwyn Western Plumbing becomes a beacon of light and of commerce on Cermak.”¹

The Berwyn Western Plumbing building demonstrates integrity of architectural elements, style, and material. Little has been modified or remodeled since the building was constructed in 1962. Original materials have been maintained such that this building is still a representative example of Mid-Century Modern architecture, highlighted as a “signature building” in 2012 by the course historic preservation at the School of the Art Institute of Chicago, which conducted a comprehensive survey of Mid-Century Modern architecture in Berwyn.

According to the survey:

“It was during the 1920s that Berwyn’s population displayed a rapid influx, increasing 222% between 1920 and 1930. Homes were being built as fast as the land was becoming available and Berwyn was quickly recognized as one of the fastest growing cities in America. Cermak Road is known for being Berwyn’s main commercial strip, even being dubbed ‘The Bohemian Wall Street’ due to the high percentage of financial institutions it housed. It is said that support from these financial bodies sponsored numerous development projects in the area, both commercial and residential. A major factor in the development of mid-20th century architecture was the growing presence of the automobile. Commercial buildings began incorporating modern design, especially in their storefronts, to grab the attention of potential customers as they drove by. In 1956, Berwyn gained a large commercial shopping complex with the construction of Cermak Plaza Shopping Center, containing such notable tenants as J. C. Penney’s and F. W. Woolworth.”²

The architectural context of commercial building in Berwyn on Cermak Road between Harlem Avenue and Home Avenue is particularly characteristic of Mid-Century Modern. On the south side of Cermak Road is Cermak Plaza shopping center, notable for its unique neon signage, which was designed as one of the first automobile-oriented “strip” shopping centers in the 1950s. On the north side of Cermak, in addition to the Berwyn Western Plumbing building, are the Mid-Century Modern Back Center building (7008 West Cermak Road), and Cermak Optical (7120 West Cermak Road), both of which feature similar architectural features. Until its recent demolition, the small professional building on the corner of Cermak and Maple represented the same stylistic movement with its characteristic angled glass and aluminum storefront, and dynamic, deeply overhanging planar canopy, ashlar lannon stone cladding, polished steel column, and integrated granite planter.

¹ “Harlem to Home in Berwyn, IL,” statement prepared by Anthony Rubano, Illinois Historic Preservation Agency.

² “Suburban Cook County Survey of Recent Past Architecture,” Fall 2011, School of the Art Institute of Chicago—Preservation Planning Studio, Instructor: Charlie Pipal.

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

Continuation Sheet—No. 8

(Attach additional pages as necessary.)

Major Bibliographic References

Berwyn Western Plumbing and Heating Company. "Our Story." <http://www.berwynwestern.com/our-story>

"Cermak Road Architectural and Historic Survey," Berwyn History Preservation Committee, prepared by The Lakota Group Harboe Architects; funded in part by the Illinois Historic Preservation Agency. City of Berwyn, December 2010.

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Dyson, Carol J., "How to Work with Storefronts of the Mid-Twentieth Century: A Mid-Twentieth Century Storefronts Components Guide," from the presentation, "What to do when a Storefront is Younger than You Are: How to Work with Storefronts of the Mid-Twentieth Century," for the National Main Street Meeting, Philadelphia, 2008.

Jackson, Mike. "Storefronts of Tomorrow: American Storefront Design from 1940 to 1970," in *Preserving the Recent Past 2*, ed. Deborah Slaton and William G. Foulks, 2-57 to 2-78. Washington, D.C.: Historic Preservation Education Foundation, National Park Service, and Association for Preservation Technology International, 2000.

"Recent past on main street: mid-century modern commercial resources." (n.d.) <http://www.illinois-history.gov/ps/midcentury.htm>

Roth, Leland M. *A Concise History of American Architecture in the USA*. New York: Harper and Rowe, 1979.

Rubano, Anthony. "Harlem to Home in Berwyn, IL," statement prepared by Illinois Historic Preservation Agency for the Berwyn Historic Preservation Commission. (n.d.)

Schweinberg, Brett. "To Save or Not to Save? Art Institute students aim to preserve mid-century Berwyn buildings," *Berwyn Life*, February 1, 2012.

Schweinberg, Brett. "Aging Buildings or Modern Marvels?" *Berwyn Life*, February 1, 2012.

"Suburban Cook County Survey of Recent Past Architecture," Fall 2011, School of the Art Institute of Chicago—Preservation Planning Studio, Instructor: Charlie Pipal.

Venturi, Robert, Denise Scott Brown and Steven Izenour. *Learning From Las Vegas*. Cambridge: MIT Press, 1972.

Advertisements for various products sold by Berwyn Western Plumbing and Heating Company, Chicago Tribune, 1954-1962. See appendix attached.

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

Rights and Responsibilities of Historic Certification

—Signature Required on Final Page—

What is a Local Historic Landmark?

A local landmark is a house, office building, store, or other structure deemed by the city to be historically significant and thus worthy of protection.

Historic significance can be based on the design of the building or the notability of its architect. It can also be based on the fame of one of its owners or occupants, or on the building's role in a historic event. In addition, as a general rule, a structure should be at least fifty years old to be eligible for landmark status.

Why Seek Landmark Status?

A landmarked building is given extra protection through a city ordinance. Before it can be altered or demolished, the Berwyn Historic Preservation Commission must review and approve the plans for any such changes. When making changes to a building, any building that is not landmarked only needs a building permit; landmarked buildings need a building permit and a Certificate Of Appropriateness (COA) from the Historic Preservation Commission.

There can be financial advantages for the owners of landmarked buildings, too. Property taxes can be frozen – meaning no increases – for eight years. Also, in some cases, Federal income tax credits for renovations are possible. Contact the Historic Preservation Commission for more details.

The City of Berwyn gives a landmarked building a bronze plaque denoting the building's historic name and date of construction. The plaque should be affixed to the front façade of the structure, usually near the front door or entrance.

What Else is Involved in Having Landmark Status?

Landmarked structures need to obtain approval before they can be altered. Some minor changes not made to street facing elevations, and certain routine maintenance permits that do not affect the historical integrity of the building may involve an administrative review by the Berwyn Historic Preservation Commission, a process that can be done quickly. Major changes will require a certificate of appropriateness. Most landmark owners find these procedures coincide with their desires to maintain and enhance their historical properties. The Berwyn Historic Preservation Commission can offer assistance in planning for the changes.

Of further interest is that although a landmark has some protection, its neighbors are not necessarily protected unless they, too, are landmarked. To preserve the character of an entire neighborhood or area, a local historic district can be formed. Contact the Historic Preservation Commission for details.

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

What is a Certificate of Appropriateness (COA)?

A Certificate of Appropriateness (COA) is an approval given to the property owner of a local historic landmark or property in a local historic district for alterations proposed by the property owner. Obtaining a COA assures that your historic landmark maintains its historic integrity. The qualities that make your property either architecturally or historically notable should be maintained or enhanced when alterations are made according to the appropriate guidelines.

What Rules Exist for Altering Landmark Buildings?

The City of Berwyn has a Historic Preservation Ordinance. This ordinance gives guidelines under which a landmark is nominated and details the process that must occur for landmark status to be granted. The Berwyn Historic Preservation Commission recommends nomination to the Berwyn City Council, who in turn, vote to approve all local landmarks.

The guidelines of the Berwyn ordinance are based on a set of federal standards known as the **Secretary of the Interior's Guidelines**. This assures that Berwyn's historic landmarks can meet acknowledged standards of historic preservation.

Another type of landmark status is placement on the National Register of Historic Places, which is granted to very notable buildings and sites. National Register status, however, does not necessarily offer the protection that a local historic landmark can have.

Additional information can be found in the **City of Berwyn Historic Preservation Ordinance**.

I decided to seek landmark status for my bungalow, what do I need to do?

1. Confirm that your bungalow meets the following criteria:

- Brick Construction
- One and a half stories single family residence
- Constructed between 1900 and 1945
- Located within the City of Berwyn
- Rectangular Plan
- Low pitched roof with overhanging eaves
- Full Basement

2. Download the nomination and instruction forms from the website of the Berwyn Historic Preservation Agency. Click [here](#) to access that area of their website.

3. Download the **BBPI documentation for Chicago style bungalow historic landmark nomination**, use it as a resource as you complete your nomination form, and attach it to your nomination form upon submission.

Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

What happens after I submit the application?

1. The Historic Preservation Commission convenes to determine whether your property meets the preliminary determination of eligibility. Items that the commission would take into consideration would include whether your house retains sufficient integrity to evoke the character of its style and subtype, boasts the majority of its features, and other factors that the commission may deem as important.
2. If the Commission determines that your property is eligible, it will schedule a public hearing.
3. At the public hearing, a testimony is taken from the nominator, the owner of record, and any other interested parties.
4. If the Commission votes to recommend designation, it will send that recommendation to the City Council that will decide whether to accept or reject the nomination.

I think that I am ready to apply, but I have some questions.

We understand that this is a major decision, and we are ready to help. Feel free to contact either the City of Homes BBPI team at info@cityofhomes.org or the Historic Preservation Commission at berwynpreservation@gmail.com. We're looking forward to hearing from you.

I have read the text above and understand the rights and responsibilities of owning a historic landmark.



15 June 2012

Signature

Date

Historic Landmark Nomination Form
Berwyn Historic Preservation Commission

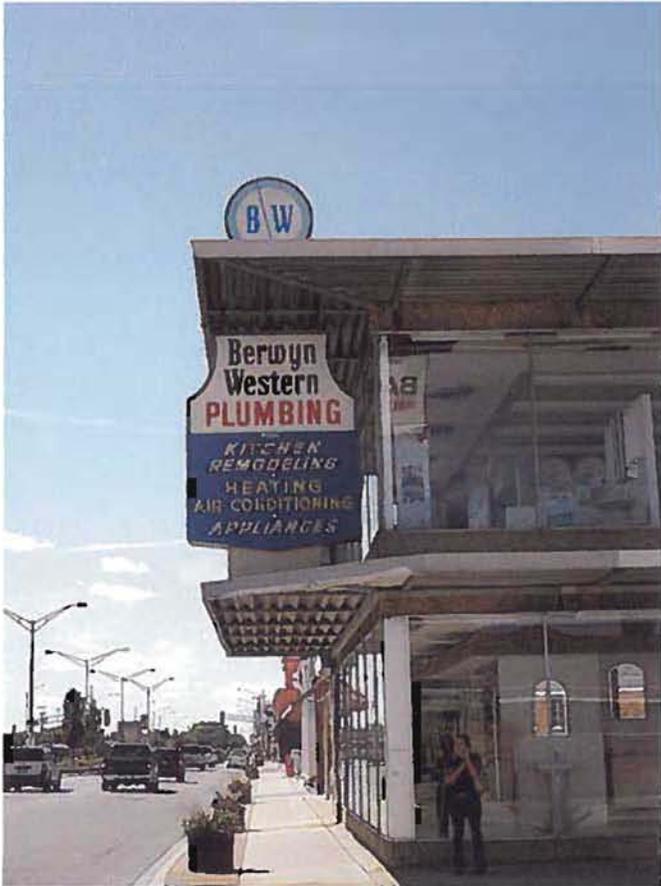
Appendix A: Photographs (by Juan Fernandez)



Historic Landmark Nomination Form
Berwyn Historic Preservation Commission



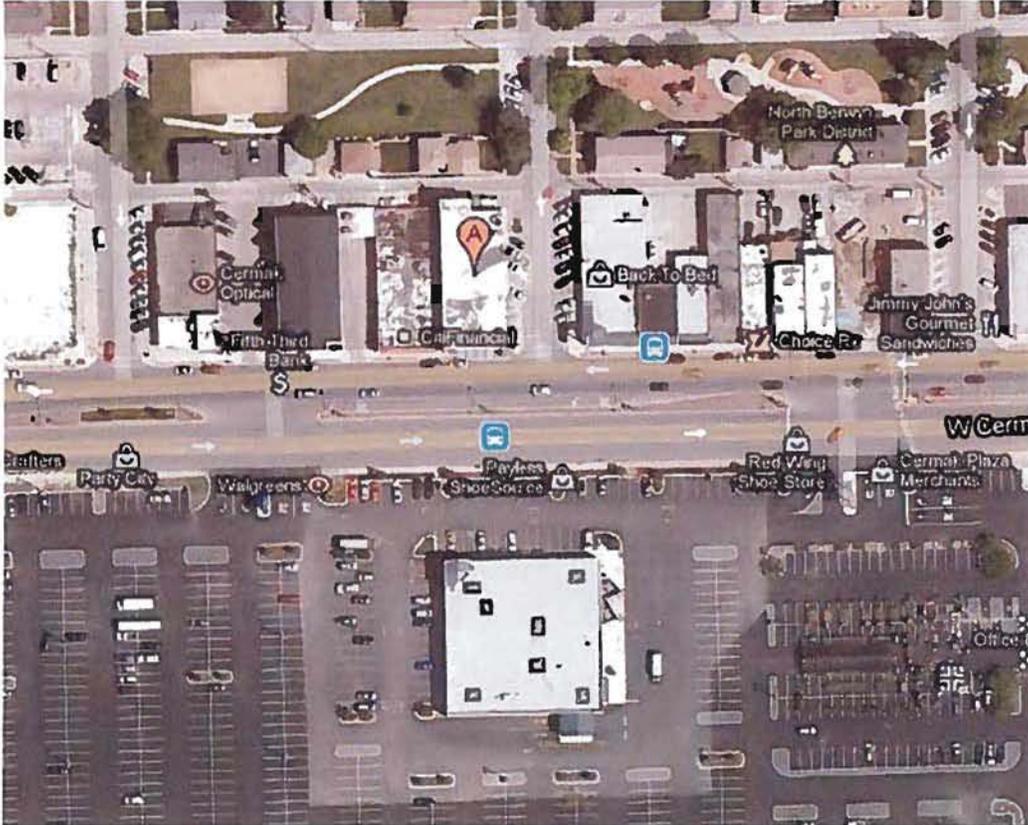
Historic Landmark Nomination Form
Berwyn Historic Preservation Commission



Historic Landmark Nomination Form

Berwyn Historic Preservation Commission

Appendix B: Site Plan





J. Staff Reports

The City of Berwyn



Evan K. Summers
Project Operations
Manager

J-1

A Century of Progress with Pride

October 23, 2012

To: Mayor Robert J. Lovero and
Members of the Berwyn City Council

Re: **2012 Holiday Decoration Bid Tab Results and Award of Contract**

Mayor and Members of the City Council:

In accordance with the RFP that was issued at the last City Council Meeting, the contract for the 2012 Holiday Decoration contract is to be awarded at this City Council Meeting. Attached is the audited bid tab of the seven proposals submitted on time. The three lowest bids were:

- Arte Verde: \$18,440.12
- Landscape Concepts Management: \$20,400.00
- Folger Flag & Decoration: \$20,659.00

After reviewing the bids and contacting references, Arte Verde appears to be the lowest qualified bidder.

Recommendation:

Award the 2012 Holiday Decoration Contract to Arte Verde in an amount not to exceed \$18,440.12.

Respectfully submitted for your consideration,

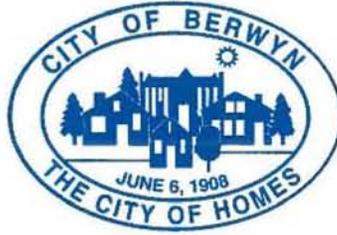
A handwritten signature in blue ink, appearing to read "E. K. Summers".

Evan K. Summers
Project Operations Manager

2012 Holiday Decoration RFP
City of Berwyn, IL
Bid Opening: Wednesday, October 17, 2012

<u>Name</u>	<u>Address</u>	<u>Area I</u>	<u>Area II</u>	<u>Area III</u>	<u>Area IV</u>	<u>Total</u>
Acres Group	610 W. Liberty St.	\$2,155.00	\$10,500.00	\$7,800.00	\$12,200.00	\$32,655.00
	Wauconda, IL 60084					
B&B Holiday Decorating, LLC	91 King Lane	\$6,178.00	\$14,978.00	\$5,782.00	\$15,244.00	\$42,182.00
	Desplaines, IL 60016					
The T.L.C. Group, LTD	P.O. Box 127	\$2,805.00	\$7,978.00	\$6,080.00	\$6,828.00	\$23,691.00
	Claredon Hills, IL 60514					
McAdam Landscaping, Inc.	2001 Des Plaines Ave.	\$2,598.00	\$8,490.00	\$4,030.00	\$8,670.00	\$23,788.00
	Forest Park, IL 60131					
Arte Verde	15630 IL RT 76	\$2,465.10	\$3,603.16	\$3,893.02	\$8,478.84	\$18,440.12
	Poplar Grove, IL 61065					
Landscape Concepts Management	3200 S. Kolin Ave	\$2,516.00	\$6,808.00	\$4,160.00	\$6,916.00	\$20,400.00
	Chicago, IL 60623					
Folger's Flag	2748 York St.	\$3,025.00	\$6,044.00	\$4,400.00	\$7,190.00	\$20,659.00
	Blue Island, IL 60406					

The City of Berwyn



Evan K. Summers
Project Operations
Manager

J-2

A Century of Progress with Pride

October 23, 2012

To: Mayor Robert J. Lovero and
Members of the Berwyn City Council

Re: **Parking Deck Energy Efficiency Program**

Mayor and Members of City Council:

Recently, with the assistance of the consulting firm Electrical Solutions Network (ESN), staff identified a funding mechanism through the Illinois Department of Commerce and Economic Opportunity (DCEO) which will allow for the City to replace the traditional light fixtures in the Parking Deck with new, energy efficient fixtures. Along with a decrease in maintenance costs, the initial energy savings projections exceed \$25,000 per year.

Through the program, the City would be eligible for a reimbursement incentive equal to the amount of the project; this effectively allows us to upgrade our lighting at zero cost to the City. No work will be initiated by ESN until the City receives funding confirmation and notice to proceed from DCEO. Due to the fact that funding will be made on a reimbursement basis, I have confirmed with the Finance Department that resources will be available to cover the initial cost outlay.

Recommendation:

Staff recommends that Council accept and approve the proposal presented by ESN to initiate the Parking Deck Energy Efficiency Program.

Respectfully submitted for your consideration,

A handwritten signature in black ink, appearing to read "E. K. Summers".

Evan K. Summers
Project Operations Manager

CITY OF BERWYN

ENERGY EFFICIENCY PROGRAM

Parking Structures - Lighting Upgrade

October 10, 2012

Electrical Solutions Network Inc. (ESN) has prepared this proposal to provide project management for the lighting upgrade of the Municipal Parking Facility in Berwyn, IL. We propose to provide a comprehensive summary of the existing lighting system, as well as the cost / energy savings resulting from installation of new energy efficient fixtures.

ESN SERVICES

- Meet with city management to identify target areas.
- Conduct audit of existing structures and provide summary of current system.
- Recommend replacement fixtures; providing specification / cut sheets.
- Prepare return on investment calculations based on the following:
 - Project cost; including material, labor, and management fees.
 - Annual energy savings; as well as maintenance savings associated with new system.
 - Incentive dollars associated with replacement; sourced from the DCEO.
- Prepare all documentation necessary for the submission of both the pre-approval and post completion / final application process.
- Assist in the submission of DCEO documents.
- Provide consultation to upgrade current lighting system in parking decks to energy efficient standards.
- Provide inspection services.
- Provide residential engineering services.
- Manage the project:
 - Provide material procurement along with implementing installation.
 - Plan and schedule the project in phases to best utilize parking structures, as well as maximize the cash flow relating to project costs and incentives received.
- Follow up on final DCEO application; making sure funds are secured by The City.

Notes to above:

- 1) Contract will be contingent upon receiving "Notice to Proceed" from the DCEO; based on approval of pre-approval application submitted by ESN. Material will not be ordered, and removal of existing fixtures will not begin without "NTP".
- 2) All calculations, recommendations, savings, and performance are based on information published by the manufacturer.
- 3) Local union labor will be utilized.

- 4) Subject to "NTP" by November 1st, and approval by The City, we estimate a start date of November 15th; and completion within thirty days of start date.

Fees:

Total project value: \$86,360.39

This will provide complete design build, "Turnkey Process"

DCEO re-imburement is structured as follows:

City of Berwyn initial out of pocket is: \$86,360.39

The DCEO pre-approval amount requested will be in the amount of: \$75,754.73

If project is completed prior to February 14th 2013, an additional bonus incentive will be received in the amount of: \$10,605.66

Anticipated completion date is December 15th 2012.

Complete DCEO funded amount: \$86,360.39

Actual out of pocket expenditure is: \$0.00

Anticipated annual savings including maintenance: \$29,359.88

Actual return on investment is: **0.00 Months**

We appreciate the opportunity to work with the City of Berwyn in your endeavor to utilize the newest and most efficient products in lowering your energy consumption and costs.

Sincerely yours,

Terence Smith

Sales Manager

The City of Berwyn



Robert P. Schiller
Director of Public Works

J-3

A Century of Progress with Pride

October 23, 2012

To: Mayor Robert J. Lovero and
Members of the Berwyn City Council

Re: **31st Street Sewer Repair**

Mayor and Members of the City Council:

While performing a routine inspection of infrastructure for the Proksa Park Detention project, we identified a span of sewer line in the center of 31st Street in need of repair. The inspection indicates that, while the line is currently performing, it will fail in the imminent future. The City Engineer has reviewed the conditions and concurs with the recommendation to replace the 158 foot span with new, 18-inch pipe.

The contractor working on the detention project, Riccio Construction, has furnished the attached proposal to replace the sewer line and restore the roadway in an amount of \$28,827.00. In addition to this amount, staff recommends authorization for an additional \$5,000.00 to act as a contingency in order to cover any unforeseen scenarios. The cost of this sewer replacement shall be paid for out of the Utility Fund.

Recommendation:

Waive the bidding process and accept Riccio Construction Corporation's proposal and contingency in an amount not to exceed \$33,827.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Schiller', is written over a faint circular stamp.

Robert Schiller
Director of Public Works

RPS/eks

The City of Berwyn



Robert P. Schiller
Director of Public Works

J-4

A Century of Progress with Pride

Date: October 17, 2012

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

Re: Disbursement of the 2013 Maintenance of Motor Fuel Tax Funds

The City Engineer has prepared the necessary documents to enable the City to pay for various Public Works activities using the 2013 Motor Fuel Tax funds. We are using MFT funds for the City's electrical maintenance contract with Lyons/Pinner, Com-Ed electrical charges, rock salt supply, and to supplement Public Works labor for street related work. At this time, I am requesting that the City Council adopt the attached "Resolution for Maintenance of Streets and Highways" and ask the corporate authorities to execute the necessary documents required to implement the program including the "Maintenance Engineering Agreement" and the "Municipal Estimate of Maintenance Costs".

Recommended Actions;

Staff is requesting the adoption of the attached "Resolution for Maintenance of Street and Highways" for 2013 and permission to have the corporate authorities execute the necessary documents required to implement the program including the "Maintenance Engineering Agreement" and the "Municipal Estimate of Maintenance Costs".

Respectfully,

Robert Schiller
Director of Public Works



Local Agency CITY OF BERWYN
Section Number 13-00000-00-GM

The services to be performed by the consulting engineer, pertaining to the various items of work included in the estimated cost of maintenance operations (BLR 14231 or BLR 14221), shall consist of the following:

PRELIMINARY ENGINEERING shall include:

Investigation of the condition of the streets or highways for determination (in consultation with the local highway authority) of the maintenance operations to be included in the maintenance program; preparation of the maintenance resolution, maintenance estimate of cost and, if applicable, proposal; attendance at meetings of the governing body as may reasonably be required; attendance at public letting; preparation of the contract and/or acceptance of BLR 12330 form. The maintenance expenditure statement must be submitted to IDOT within 3 months of the end of the maintenance period.

ENGINEERING INSPECTION shall include:

Furnishing the engineering field inspection, including preparation of payment estimate for contract, material proposal and/or deliver and install proposal and/or checking material invoices of those maintenance operations requiring engineering field inspection, as opposed to those routine maintenance operations as described in Chapter 14-2.04 of BLRS Manual, which may or may not require engineering inspection.

For furnishing preliminary engineering, the engineer will be paid a base fee PLUS a negotiated fee percentage. For furnishing engineering inspection the engineer will be paid a negotiated fee percentage. The negotiated preliminary engineering fee percentage for each group shown in the "Schedule of Fees" shall be applied to the total estimated costs of that group. The negotiated fee for engineering inspection for each group shall be applied to the total final cost of that group for the items which required engineering inspection. In no case shall this be construed to include supervision of contractor operations.

SCHEDULE OF FEES

Total of the Maintenance Operation	Base Fee
<input checked="" type="checkbox"/> > \$20,000	\$1,250.00
<input type="checkbox"/> ≤ \$20,000 (Negotiated: \$1,250 Max.)	

PLUS

Group	Preliminary Engineering		Engineering Inspection		Operation to be Inspected
	Acceptable Fee %	Negotiated Fee %	Acceptable Fee %	Negotiated Fee %	
I	NA	NA	NA	NA	NA
IIA	2%	1%	1%	NA	NA
IIB	3%	NA	3%	NA	NA
III	4%	NA	4%	NA	NA
IV	5%	3%	6%	NA	NA

By: _____
Local Agency Official Signature

Robert J. Lovero, Mayor
Title

10/23/2012
Date

By: _____
Consulting Engineer Signature

John E. Fitzgerald, V.P
Title
P.E. Seal

10/23/2012
Date
11/30/13
P.E. License
Expiration Date

The City of Berwyn

J-5



Ruth E. Volbre
Admin. Asst. to City
Administrator & Mayor

A Century of Progress with Pride

October 23, 2012

To: Mayor Robert J. Lovero & City Council Members

From: Ruth E. Volbre, Administrative Assistant to the
City Administrator and Mayor

Re: Cleaning Services

The contract for cleaning services for all city facilities is set to expire on January 31, 2013. In order to follow the City and State purchasing guidelines, I am seeking approval to go out to bid for cleaning services for all city facilities.

Recommended Actions:

Approval to go out to bid is sought for cleaning services for all city facilities.

Sincerely,

A handwritten signature in black ink that reads "Ruth E. Volbre".

Ruth E. Volbre
Administrative Assistant to the City Administrator and Mayor

The City of Berwyn



Anthony T. Bertuca
City Attorney

A Century of Progress with Pride

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

October 23, 2012

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

Re: 11 WC 015664

Dear Mr. Pavlik:

Please put this item on the October 23, 2012 agenda authorizing the settlement of the above referenced matter for the total of \$60,000.00, based upon City Council authority granted in Executive Session.

Very truly yours,

Anthony T. Bertuca

Anthony T. Bertuca
City Attorney

ATB:kmc



J-1

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 (708) 788-0273
www.berwyn-il.gov

Date: October 19, 2012

To: Mayor Lovero and the City Council

From: John Wysocki *John Wysocki*

Subject: 2012 Audit

In a continuing effort to insure that we are receiving the best quality service at the lowest price from the firm performing the City's annual financial and single audit, we have issued a request for proposal for auditing services for 2012 and, at the City's option, for the subsequent two year period. We received seven responses and selected three finalists which we interviewed.

I am pleased to recommend the accounting firm of Sikich LLP to perform the 2012 audit at an all inclusive cost of \$57,660. This represents a savings of \$6,190 over the 2011 audit.

While most costs have increased over the years, our audit costs have been decreasing due primarily to the efforts of the finance department staff to improve our accounting processes and procedures. These staff are:

- Assistant Finance Director David Jelonek
- Senior Accountant Judy Burns
- General Ledger Accountant Kyle Solberg
- Accounts Payable Clerk Luna Iovinelli
- Payroll Administrator Lilly Kinney

The following table shows a history of our audit costs.

Year	Audit Firm	Cost	Increase/(Decrease) from Prior
2007	Sikich	\$75,000	
2008	Sikich	\$72,000	(\$3,000)
2009	Sikich	\$72,000	\$0
2010	Crowe Horwath	\$62,000	(\$10,000)
2011	Crowe Horwath	\$63,850	\$1,850
Proposed 2012	Sikich	\$57,660	(\$6,190)
Proposed 2013	Sikich	\$59,679	\$2,019
Proposed 2014	Sikich	\$61,768	\$2,089

The proposal for the 2012 audit from our current firm, Crowe Horwath, was \$63,890.

We asked the bidders to indicate as an optional fee the cost of assisting us with the preparation of our Comprehensive Annual Financial Report (CAFR). Due to the time involved and specialized skills required to prepare it, most municipalities utilize their audit firms' assistance to prepare this report. However, our finance department has prepared the report for the last three years. Sikich indicated the cost would be \$6,800 if they assisted with the preparation. While it is a considerable amount of work for the finance department, we intend to continue preparation of the CAFR internally and thereby save the \$6,800 additional cost.

Recommendation:

Staff recommends that City Council accept the proposal of Sikich LLP to perform the audit of the City for 2012 at an all inclusive cost not to exceed \$57,660 with an option to perform the audits for 2013 and 2014 at a cost of \$59,679 and \$61,768, respectively.

The City of Berwyn



John Wysocki
Finance Director

J.S.

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 (708) 788-0273
www.berwyn-il.gov

Date: October 19, 2012

To: Mayor Lovero and the City Council

From: John Wysocki

Subject: Bond Ordinance

Attached is an ordinance providing for the issuance of up to \$8.5 million of general obligation bonds. This bond financing is consistent with our ongoing plan that has been in place for the last several years.

The purpose of the bond issue is as follows:

1. Refund December 1, 2012 debt service payments for which the City abated tax levies when the 2011 Budget was adopted.
2. Provide approximately \$2.9 million to fund vital capital programs

Dan Denys and I will be at the Committee of the Whole to answer any questions regarding the ordinance and the bond issue.

We recommend that you approve the attached ordinance. Thank you.

ORDINANCE NO. _____

AN ORDINANCE authorizing and providing for the issuance of General Obligation Bonds, Series 2012A, of the City of Berwyn, Cook County, Illinois, in the aggregate principal amount not to exceed \$8,500,000 for the purpose of refunding a portion of the City's outstanding bonds and paying for the costs of certain capital projects and costs related thereto and to the issuance of such bonds, authorizing the execution of a bond order, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds.

* * *

WHEREAS, the City of Berwyn, Cook County, Illinois (the "*City*"), has a population in excess of 25,000 as determined by the last official census, and pursuant to the provisions of Sections 6(d) and 6(k) of Article VII of the Constitution of the State of Illinois (as supplemented by the Illinois Municipal Code, as supplemented and amended, and the Omnibus Bond Acts, as amended, the "*Act*"), the City is a home rule unit and may exercise any power or perform any function pertaining to its government and affairs including, but not limited to, the power to tax and to incur debt; and

WHEREAS pursuant to the provisions of said Section 6, the City has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval; and; and

WHEREAS, the City has heretofore issued its (i) General Obligation Corporate Purpose Bonds, Series 2002A (the "*Series 2002A Bonds*"), (ii) General Obligation Refunding Bonds, Series 2004 (the "*Series 2004 Bonds*"), (iii) General Obligation Bonds, Series 2007A (the "*Series 2007A Bonds*"), (iv) General Obligation Bonds, Series 2008 (the "*Series 2008 Bonds*"), (v) General Obligation Bonds, Series 2009 (October) (the "*Series 2009 Bonds—October*"), (vi)

General Obligation Bonds, Series 2009 (December) (the “*Series 2009 Bonds—December*”), (vii) General Obligation Bonds, Series 2010 (the “*Series 2010 Bonds*”), and (viii) General Obligation Bonds, Series 2011A (the “*Series 2011A Bonds*”) (hereinafter collectively referred to as the “*Prior Bonds*”); and

WHEREAS, pursuant to and in accordance with the provisions of the Act, and the Local Government Debt Reform Act of the State of Illinois, as supplemented and amended (the “*Debt Reform Act*”), the City is authorized to issue General Obligation Bonds for the purpose of providing funds to pay the cost of refunding all or a portion of the Prior Bonds, including interest thereon (the portion of the Prior Bonds to be refunded pursuant to this Ordinance is hereafter referred to as the “*Refunded Bonds*”), consisting of the Refunded Bonds as described in the Bond Order (as hereinafter defined).

WHEREAS, the City Council of the City (the “*Corporate Authorities*”) has determined that it is advisable, necessary and in the best interests of the City, to issue its bonds (i) to refund the Refunded Bonds in order to effect a savings in debt service (the “*Refunding*”), (ii) to pay the costs of certain capital projects within the City (collectively, the “*New Money Projects*”), and (iii) to pay the cost of issuance of the Bonds (as hereinafter defined); and

WHEREAS, the estimated costs of the Refunding and the New Money Projects, including necessary expenses, is approximately \$8,500,000, plus investment earnings thereon; and

WHEREAS, the City does not have sufficient funds on hand and lawfully available to provide for the Refunding, the New Money Projects and the payment of all related costs and expenses incidental thereto; and

WHEREAS, the issuance of the Bonds is exempt from the requirements of the Illinois Bond Issue Notification Act; and

WHEREAS, such costs of the Refunding, the New Money Projects and all related costs and expenses incidental thereto are expected to be paid for from the proceeds of bonds payable from the unlimited ad valorem property taxes levied with in the City or as a general obligation of the City; and

WHEREAS, pursuant to and in accordance with the provisions of the Act, and the Debt Reform Act, the City is authorized to issue its General Obligation Bonds in the approximate aggregate principal amount of not to exceed \$8,500,000 for the purpose of providing funds to pay the costs of the Refunding, the New Money Projects and all related costs and expenses incidental thereto; and

WHEREAS, the City shall further set forth the terms of the Bonds as provided in the Bond Order;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Definitions The following words and terms used in this Ordinance shall have the following meanings unless the context or use clearly indicates another or different meaning is intended:

“Act” means the home rule powers of the City under Section 6 of Article VII of the Illinois Constitution of 1970, as supplemented by the Illinois Municipal Code, as supplemented and amended, and the Omnibus Bond Acts, as amended. In the event of conflict between the provisions of said code, said acts and home rule powers, the home rule powers shall be deemed to supersede the provisions of said code and said acts.

“Bond” or “Bonds” means one or more, as applicable, of the not to exceed \$8,500,000 General Obligation Bonds, Series 2012A, authorized to be issued by the City pursuant to this Ordinance and the Bond Order.

“Bond Order” means the written Bond Order and Notification of Sale hereinafter authorized to be executed by the Designated Officers and setting forth certain details of the Bonds as hereinafter provided.

“Bond Register” means the books of the City kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

“Bond Registrar” means the City Treasurer.

“County Clerk” means the County Clerk of The County of Cook, Illinois.

“Mayor” means the Mayor of the City.

“Clerk” means the Clerk of the City.

“Code” means the Internal Revenue Code of 1986, as amended.

“City” means the City of Berwyn, Cook County, Illinois.

“Corporate Authorities” means the City Council of the City.

“Depository” means The Depository Trust Company, New York, New York, its successors, or a successor depository qualified to clear securities under applicable state and federal laws.

“Designated Officers” means the Mayor, the Treasurer, or the Clerk, or any of them acting together, and their respective successors and assigns.

“Insurer” means any issuer of a municipal bond insurance or financial guaranty policy relating to the Bonds as so identified in the Bond Order.

“Policy” means a municipal bond or financial guaranty insurance policy issued by an Insurer.

“Prior Bonds” means the outstanding Series 2002A Bonds, the Series 2004 Bonds, the Series 2007A Bonds, the Series 2008 Bonds, the Series 2009 Bonds—October, the Series 2009

Bonds—December, the Series 2010 Bonds, and the Series 2011 Bonds, as more particularly described in the preambles to this Ordinance.

“*Purchase Price*” means not less than 97% of par (not including original issue discount) as set forth in the Bond Order.

“*Purchaser*” means Oppenheimer & Co., Inc., or such other purchasers of the Bonds as identified in the Bond Order.

“*Treasurer*” means the Treasurer of the City.

Section 2. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference thereto.

Section 3. Determination to Issue Bonds. It is hereby found and determined that it is necessary and in the best interests of the City to borrow money and to issue the Bonds in the amount of not more than \$8,500,000 for the purpose of paying for the Refunding, the New Money Projects and all related costs and expenses incidental thereto, and that such borrowing of money is necessary for the welfare of the government and affairs of the City, is a public purpose and is in the public interest.

Section 4. Bond Details. For the purpose of the Refunding and to pay for the New Money Projects and all related costs and expenses incidental thereto, there shall be issued and sold the Bonds in the principal amount of not to exceed \$8,500,000. The Bonds shall each be designated “General Obligation Bonds, Series 2012A”, shall be dated as provided in the Bond Order (such date being the “*Dated Date*”), and shall also bear the date of authentication, shall be in fully registered form, shall be in denominations of \$5,000 each and authorized integral multiples thereof (but no single Bond shall represent installments of principal maturing on more than one date), shall be numbered 1 and upward, and shall bear interest to be payable

semiannually on June 1 and December 1 in each year, commencing on June 1, 2013, or such other date as may be provided in the Bond Order. The Bonds shall become due and payable (subject to the right of prior redemption hereinafter stated) on December 1 of each of the years and in the amounts and bearing interest at the rates per cent per annum as shall be set forth in the Bond Order, *provided, however*, that no Bond shall mature on a date which is later than December 1, 2032, or bear interest at a rate percent per annum which is in excess of seven percent (7%).

The Bonds shall bear interest from the Dated Date or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of the Bonds is paid, such interest (computed upon the basis of a 360-day year of twelve 30-day months) to be paid by check or draft of the Bond Registrar, payable upon presentation in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on the 15th day of the month next preceding the interest payment date, or as otherwise agreed by the City and the Depository so long as the Bonds remain in book-entry only form as hereinafter provided. The principal of the Bonds shall be payable in lawful money of the United States of America at the Bond Registrar.

The Bonds shall be signed by the manual or duly authorized facsimile signature of the Mayor, and shall be attested by the manual or duly authorized facsimile signature of the Clerk, and the corporate seal of the City shall be affixed thereto or printed thereon, and in case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Bond Registrar as authenticating agent of the City for

this issue and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond shall be deemed to have been executed by the Bond Registrar if signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 5. Book Entry Provisions; Registration of Bonds; Persons Treated as Owners.

A. Book Entry Provisions. The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds. Upon initial issuance, the ownership of each such Bond shall be registered in the Bond Register in the name of "Cede & Co.", or any successor thereto, as nominee of the Depository. All of the Bonds from time to time shall be registered in the Bond Register in the name of Cede & Co., as nominee of the Depository. The Treasurer of the City and any other Bond Registrar are authorized to execute and deliver on behalf of the City such letters to or agreements with the Depository as shall be necessary to effectuate such book-entry system (any such letter or agreement being referred to herein as the "*Representation Letter*"). Without limiting the generality of the authority given with respect to entering into such Representation Letter, it may contain provisions relating to (a) payment procedures, (b) transfers of the Bonds or of beneficial interests therein, (c) redemption notices and procedures unique to the Depository, (d) additional notices or communications, and (e) amendment from time to time to conform with changing customs and practices with respect to securities industry transfer and payment practices.

With respect to Bonds registered in the Bond Register in the name of Cede & Co., as nominee of the Depository, the City and the Bond Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a "*Depository Participant*") or to any person on behalf of whom such a Depository Participant holds an interest in the Bonds. Without limiting the meaning of the immediately preceding sentence, the City and the Bond Registrar shall have no responsibility or obligation with respect to (a) the accuracy of the records of the Depository, Cede & Co., or any Depository Participant with respect to any ownership interest in the Bonds, (b) the delivery to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, or (c) the payment to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any amount with respect to principal of or interest on the Bonds.

No person other than a registered owner of a Bond as shown in the Bond Register shall receive a Bond certificate with respect to any Bond. Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions hereof with respect to the payment of interest to the registered owners of Bonds at the close of business on the applicable record date, the name "*Cede & Co.*" in this Ordinance shall refer to such new nominee of the Depository.

In the event that (a) the City determines that the Depository is incapable of discharging its responsibilities described herein and in the Representation Letter, (b) the agreement among the City, the Bond Registrar and the Depository evidenced by the Representation Letter shall be

terminated for any reason or (c) the City determines that it is in the best interests of the City or of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the City shall notify the Depository and the Depository Participants of the availability of Bond certificates, and the Bonds shall no longer be restricted to being registered in the Bond Register in the name of Cede & Co., as nominee of the Depository. The City may determine that the Bonds shall be registered in the name of and deposited with a successor depository operating a book-entry system, as may be acceptable to the City, or such depository's agent or designee, and if the City does not select such alternate book-entry system, then the Bonds may be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions hereof. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of the Depository, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the Representation Letter.

B. Registration of Bonds. The Treasurer is hereby appointed to serve as Bond Registrar and paying agent for the Bonds. The City shall cause the Bond Register as provided in this Ordinance to be kept at the principal office maintained for the purpose by the Bond Registrar, which is hereby constituted and appointed the registrar of the City for this issue. The City is authorized to prepare, and the Bond Registrar shall keep custody of, multiple Bond blanks executed by the City for use in the transfer and exchange of Bonds.

Any Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in this Ordinance. Upon surrender for transfer or exchange of any Bond at the principal office maintained for the purpose by the Bond Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer or

exchange in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees or, in the case of an exchange, the registered owner, a new fully registered Bond or Bonds of the same maturity of authorized denominations, for a like aggregate principal amount. The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond, *provided, however*, the principal amount of outstanding Bonds of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bonds for such maturity less previous retirements.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on the fifteenth (15th) day of the month next preceding any interest payment date on such Bond and ending at the opening of business on such interest payment date, nor to transfer or exchange any Bond after notice calling such Bond for redemption has been mailed, nor during a period of fifteen (15) days next preceding mailing of a notice of redemption of any Bonds.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or the legal representative of such owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds

except in the case of the issuance of a Bond or Bonds for the unredeemed portion of a Bond surrendered for redemption.

Section 6. Redemption. Bonds maturing on or after a date specified in the Bond Order are subject to redemption prior to maturity at the option of the City on the terms and as provided in the Bond Order, from any available moneys, on the dates as set forth in the Bond Order, in whole or in part, and if in part in such principal amounts and from such maturities as the City shall determine and within any maturity by lot, at a redemption price as set forth in the Bond Order.

Section 7. General Obligations. The full faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds. The Bonds shall be direct and general obligations of the City, and the City be obligated to levy ad valorem taxes upon all the taxable property in the City for the payment of the Bonds and the interest thereon, without limitation as to rate or amount.

Section 8. Form of Bond The Bonds shall be prepared in substantially the following form; *provided, however*, that if the text of any Bond is to be printed in its entirety on the front side of any Bond, then paragraph [2] and the legend, "See Reverse Side for Additional Provisions", shall be omitted and paragraphs [7] through [15] shall be inserted immediately after paragraph [1]:

(Form of Bond - Front Side)

REGISTERED
No. _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTY OF COOK
CITY OF BERWYN
GENERAL OBLIGATION BOND, SERIES 2012A

See Reverse Side for
Additional Provisions

Interest Maturity Dated
Rate: ____% Date: December 1, ____ Date: ____ 1, 20__ CUSIP: _____

Registered Owner: Cede & Co.

Principal Amount: \$ _____

[1] KNOW ALL MEN BY THESE PRESENTS, that the City of Berwyn, Cook County, Illinois, a municipality, home rule unit, and political subdivision of the State of Illinois (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the Interest Rate per annum set forth above on June 1 and December 1 of each year, commencing June 1, 2013, until said Principal Amount is paid, except as the hereinafter stated provisions for redemption prior to maturity may and shall become applicable hereto. The principal of this Bond is payable in lawful money of the United States of America at the office of the City Treasurer, Berwyn, Illinois, as bond registrar and paying agent (the "Bond Registrar"). Payment of the installments of interest shall be made to the Registered Owner hereof as shown on the

registration books of the City maintained by the Bond Registrar, at the close of business on the 15th day of the month next preceding each interest payment date and shall be paid by check or draft of the Bond Registrar, payable upon presentation in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books or at such other address furnished in writing by such Registered Owner to the Bond Registrar, or as otherwise agreed by the City and the Depository so long as the Bonds remain in book-entry only form as hereinafter provided.

[2] Reference is hereby made to the further provisions of this Bond set forth on the reverse hereof and such further provisions shall for all purposes have the same effect as if set forth at this place.

[3] The City has designated the Bonds as qualified tax-exempt obligations to qualify the Bonds for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations.

[4] It is hereby certified and recited that all conditions, acts and things required by the Constitution and Laws of the State of Illinois to exist or to be done precedent to and in the issuance of this Bond, have existed and have been properly done, happened and been performed in regular and due form and time as required by law; that the indebtedness of the City, represented by the Bonds, and including all other indebtedness of the City, howsoever evidenced or incurred, does not exceed any constitutional or statutory or other lawful limitation; and that provision has been made for the collection of a direct annual tax, in addition to all other taxes, on all of the taxable property in the City sufficient to pay the interest hereon as the same falls due and also to pay and discharge the principal hereof at maturity.

[5] This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

[6] IN WITNESS WHEREOF, said City of Berwyn, Cook County, Illinois, by its City Council, has caused this Bond to be signed by the manual or duly authorized facsimile signature of the Mayor of the City and attested by the manual or duly authorized facsimile signature of the Clerk of said City, and its corporate seal to be affixed hereto or printed hereon, all as of the Dated Date identified above.

(Facsimile Signature)

Mayor

(SEAL)

Attest:

(Facsimile Signature)

City Clerk

Date of Authentication: _____, _____

CERTIFICATE
OF
AUTHENTICATION

Bond Registrar:
City Treasurer
City of Berwyn, Illinois

This Bond is one of the Bonds described in the within mentioned ordinance and is one of the General Obligation Bonds, Series 2012A, of the City of Berwyn, Cook County, Illinois.

City Treasurer,
as Bond Registrar

By _____
(Manual Signature)
City Treasurer

[Form of Bond - Reverse Side]

**CITY OF BERWYN
COOK COUNTY, ILLINOIS
GENERAL OBLIGATION BOND, SERIES 2012A**

[7] This bond and the bonds of the series of which it forms a part (“*Bond*” and “*Bonds*” respectively) are part of an authorized issue of _____ Dollars (\$_____) of like date and tenor, except as to maturity, rate of interest and privilege of redemption. The Bonds are general obligations of the City payable from ad valorem taxes levied against all of the taxable property in the City without limitation as to rate or amount, pursuant to and in all respects in compliance with the applicable provisions of the Illinois Municipal Code and the Local Government Debt Reform Act of the State of Illinois, both as supplemented and amended, and as further supplemented and, where necessary, superseded, by the powers of the City as a home rule unit under the provisions of Section 6 of Article VII of the Illinois Constitution of 1970, for the purpose of paying the cost of refunding certain outstanding General Obligation bonds of the City, paying for the cost of certain capital projects and of paying expenses incidental thereto. The Bonds are issued pursuant to Ordinance No. _____, passed by the Corporate Authorities on the ___ day of October, 2012 (the “*Bond Ordinance*”), to which reference is hereby expressly made for further definitions and terms and to all the provisions of which the owner by the acceptance of this Bond assents.

[8] The Bonds of this issue may be subject to redemption prior to maturity at the option of the City as set forth in the Bond Order.

[9] This Bond is transferable by the registered owner hereof in person or by his attorney duly authorized in writing at the principal office maintained for the purpose by the Bond Registrar in Berwyn, Illinois, but only in the manner, subject to the limitations and upon payment of the charges provided in the Bond Ordinance, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same

maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

[10] The Bonds are issued in fully registered form in the denomination of \$5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal office maintained for the purpose by the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations, upon the terms set forth in the Bond Ordinance.

[11] The City and the Bond Registrar may deem and treat the registered owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

[FORM OF INSURER'S LEGEND HERE, IN APPLICABLE]

(ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____

attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature guaranteed: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Section 9. Sale of Bonds. The Designated Officers are hereby authorized to proceed, without any further official authorization or direction whatsoever from the Corporate Authorities, to sell and deliver the Bonds to the Purchaser at the Purchase Price and upon the terms as herein provided. The Designated Officers as shall be appropriate shall be and are hereby authorized and directed (i) to sell the Bonds to the Purchaser for the Purchase Price at a negotiated sale upon their finding that the terms of the Bonds are fair and reasonable in view of current conditions in the bond markets and that the Bonds meet the terms and requirements of this Ordinance, and (ii) to approve or execute, or both, the Bond Order and such other documents of sale of the Bonds as may be necessary, including, without limitation, Preliminary (or Deemed Final) Official Statement, Official Statement, and closing documents. The Purchase Price shall be as provided in the Bond Order. The Clerk is further directed to make available to the Corporate Authorities a copy of the executed Bond Order at the first regularly scheduled meeting of the Corporate Authorities following the execution of the same, but such action shall be for information purposes only, and the Corporate Authorities shall have no right or authority at such time to approve or reject such sale as evidenced in the Bond Order. Nothing in this Section shall require the Designated Officers to sell the Bonds if in their judgment the conditions in the bond markets shall have markedly deteriorated from the time of adoption hereof, but the Designated Officers shall have the authority to sell the Bonds in any event so long as the limitations set forth in this Ordinance and the conditions of this Section shall have been met.

The Preliminary Official Statement of the City relating to the Bonds, as prepared by Austin Meade Financial, Ltd., and heretofore presented to the Corporate Authorities is hereby ratified and approved. The Deemed Final Official Statement of the City, to be dated within seven days of the date of sale of the Bonds and relating thereto (the "*Official Statement*") is hereby

approved, and the Purchaser is hereby authorized on behalf of the City to distribute copies of the Official Statement to the ultimate purchasers of the Bonds.

The Designated Officers are hereby authorized and directed to execute one or more bond purchase agreements in connection with the sale of the Bonds, in the name and of behalf of the City. The bond purchase agreement(s) shall be substantially in the form of purchase agreements commonly used in transactions similar to that described in this Ordinance, with such changes as necessary to reflect the terms and provisions of the Bonds, this Ordinance and such other changes as the Designated Officers shall determine are necessary or desirable in connection with the sale of the Bonds, including whether to purchase bond insurance and the related terms.

No person holding any office of the City, either by election or appointment under the laws or Constitution of the State of Illinois, is in any manner financially interested directly in his or her own name or indirectly in the name of any person, association, trust or corporation, in the purchase of the Bonds.

The selection and retention of Arnstein & Lehr LLP, Chicago, Illinois, to serve as bond counsel in connection with the issuance of the Bonds is hereby ratified, confirmed and approved.

The Designated Officers are hereby authorized to execute, without further official action or direction by the Corporate Authorities, such additional documents and closing documents as shall be required to effectuate the delivery of the Bonds, including, without limitation, the Preliminary Official Statement, the Official Statement, the Tax Compliance Agreement (as hereinafter defined), any bond purchase agreement(s), the Continuing Disclosure Undertaking (as hereinafter defined), and closing documents and certificates.

Section 10. Tax Levy. For the purpose of providing funds required to pay the interest and principal on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, there is hereby levied upon all of the taxable property within the

City, in the years for which any of the Bonds are outstanding, a direct annual tax sufficient for that purpose; and there is hereby levied on all of the taxable property in the City, in addition to all other taxes, the direct annual taxes as provided in the Bond Order.

Whenever and only when there are other lawful sources available to the City for the purpose of paying any principal of and/or interest on the Bonds, the Corporate Authorities may, by proper proceedings, authorize the payment of such principal of and/or interest on the Bonds from such alternate sources, and further may direct the abatement of the taxes theretofore levied for such payments by the amount so paid as principal of and/or interest on the Bonds. A certified copy or other notification of any such proceedings abating such taxes may then be filed with the County Clerk in a timely manner to effect such abatement. Notwithstanding any such abatement, the Bonds shall remain direct and general obligations of the City, the full faith and credit of which are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds.

Interest or principal coming due at any time when there are insufficient funds on hand from such taxes to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of such taxes levied pursuant to the Bond Order; and when such taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced. The City covenants and agrees with the Purchaser and registered owners of the Bonds that so long as any of the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax levy. The City and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes may be levied, extended and collected as provided herein and in the Bond Order, and deposited into the Bond Fund.

The funds derived from the tax levy be and the same are hereby appropriated and set aside for the sole and only purpose of paying the principal and interest on the Bonds when and as the same shall become due. The funds from the sale of the Bonds be and there are hereby appropriated and set aside for the Refunding, the New Money Projects and the payment of the costs of issuance.

Section 11. Filing with County Clerk. Promptly, as soon as this Ordinance and the Bond Order become effective, a copy of this Ordinance and the Bond Order, as both certified by the City Clerk, shall be filed with the County Clerk; and said County Clerk shall in and for each of the levy years set forth in the Bond Order ascertain the rate percent required to produce the aggregate tax hereinbefore provided to be levied in each of said years; and said County Clerk shall extend the same for collection on the tax books in connection with other taxes levied in said years in and by the City for general corporate purposes of the City; and in said years such annual tax shall be levied and collected by and for and on behalf of the City in like manner as taxes for general corporate purposes for said years are levied and collected, and in addition to and in excess of all other taxes. When collected, the taxes levied by this Ordinance and the Bond Order shall be placed to the credit of the Bond Fund created pursuant to this Ordinance. *Section 12. Use of Bond Proceeds.* The principal proceeds of the Bonds, including any premiums, are hereby appropriated for the purpose of paying the costs of the Refunding and the New Money Projects, and are hereby ordered deposited into the Refunding Fund of the City created pursuant to this Ordinance (the "*Refunding Fund*"). The Refunded Bonds shall be refunded on December 1, 2012. Remaining proceeds of the Bonds shall be used to pay the costs of issuance and the New Money Projects.

Section 13. Creation of Funds and Accounts. (a) Bond Fund. There is hereby created the "Bond and Interest Fund of 2012" (the "*Bond Fund*"), which shall be the fund for the

payment of the principal of and interest on the Bonds. Collection of taxes herein levied pursuant to this Ordinance and the Bond Order shall be deposited into the Bond Fund as required by this Ordinance and shall be used solely and only for the payment of the principal of and interest on the Bonds when due. All amounts on deposit in the Bond Fund are hereby irrevocably pledged to and shall be used only for the purpose of paying the principal of and interest on the Bonds. In the event that sufficient amounts are not yet deposited into the Bond Fund so as to provide for the timely payment of the Bonds, the City shall deposit other legally available moneys into the Bond Fund so as to provide for the timely payment of the Bonds. Interest income or investment profit earned in the Bond Fund shall be retained in the Bond Fund for payment of the principal of or interest on the Bonds on the interest payment date next after such interest or profit is received.

(b) Refunding Fund. There is hereby established a special fund of the City known as the "Refunding Fund" to be held by the Treasurer. There shall be deposited into the Refunding Fund proceeds of the Bonds sufficient to refund the Refunded Bonds. The Refunding Fund shall be maintained separate and apart from all other accounts of the City and shall be used to pay costs of issuance and pay the costs of the Refunding.

Section 14. Project Fund. There is hereby created and established a special fund of the City known as the "Project Fund, Series 2012A" (the "*Project Fund*") to be held by the Treasurer. Proceeds of the Bonds shall be deposited in the Project Fund, and the Project Fund shall be used for the purpose of paying the costs of the New Money Project, and costs of issuance. For the purpose of paying first interest due on the Bonds, an amount necessary for that purpose may be loaned from the Project Fund to the Bond Fund. Said amount shall be reimbursed to the Project Fund from the Bond Fund as Pledged Revenues and/or Pledged Taxes are received and available therefore. Additional loans from the Project Fund to the Bond Fund to pay debt service on the Bonds may be made upon further direction of the Corporate Authorities

so long as provision is made to reimburse the Project Fund with Pledged Revenues and/or Pledged Taxes.

Interest received from deposits in the Project Fund shall, at the discretion of the Corporate Authorities, either be transferred for the payment of the principal of and interest on the Bonds on the interest payment date next after such interest is received or be retained in the Project Fund.

In the event that any monies remain in the Project Fund upon completion of the New Money Projects, the City shall deposit the remaining moneys in the Project Fund into the Bond Fund and shall cause such moneys to be used to pay the interest on the Bonds on the earliest possible date.

Section 15. Reimbursement. None of the proceeds of the Bonds will be used to pay, directly or indirectly, in whole or in part, for an expenditure that has been paid by the City prior to the date hereof, except expenditures for which an intent to reimburse it as properly declared under Treasury Regulations Section 1.150-2. This Ordinance is in itself a declaration of official intent under Treasury Regulations Section 1.150-2 as to all costs of the Refunding and the New Money Projects paid after the date hereof and prior to issuance of the Bonds.

Section 16. Defeasance. Bonds which (a) are paid and cancelled, (b) which have matured and for which sufficient sums been deposited with the Paying Agent to pay all principal thereof and interest due thereon, or (c) for which sufficient U.S. funds and direct non-callable U.S. Treasury obligations have been deposited with the Paying Agent or similar institution to pay, taking into account investment earnings on such obligations, all principal of and interest on Bonds when due at maturity, pursuant to an irrevocable escrow or trust agreement, shall cease to have any lien on or right to receive or be paid from the taxes levied hereunder and shall no longer have the benefits of any covenant for the registered owners of outstanding Bonds as set

forth herein as such relates to lien and security of the outstanding Bonds. All covenants relative to the tax-exempt status of the Bonds; payment, registration, transfer, and exchange, are expressly continued for all Bonds whether outstanding Bonds or not.

Section 17. Continuing Disclosure Undertaking. Any Designated Officer is hereby authorized to execute and deliver a Continuing Disclosure Undertaking, in customary form as approved by Bond Counsel and approved by the City Attorney, to effect compliance with Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended. When such Continuing Disclosure Undertaking is executed and delivered on behalf of the City, it will be binding on the City and the officers, agents, and employees of the City, and the same are hereby authorized and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of such Continuing Disclosure Undertaking as executed and delivered. Notwithstanding any other provisions hereof, (a) the sole remedies for failure to comply with such Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the City to comply with its obligations thereunder, and (b) the failure of the City to comply with the Continuing Disclosure Undertaking shall not be considered an event of default under the Bonds or this Ordinance.

Section 18. Insurance. Upon a finding by the Authorized Officers that the purchase of a Policy for all or any portion of the Bonds is likely to facilitate the marketing and sale of the Bonds and permit completion of such sale in a timely fashion, and that such Policy is available at an acceptable premium, as set forth in the Bond Order, the Designated Officers are hereby expressly authorized to accept the commitment of an Insurer to issue a commitment to provide a Policy in connection with the issuance and delivery of the Bonds. The terms, provisions, conditions and requirements of said Insurer set forth in said commitment as a condition to its

issuance of such Policy shall be as attached to the Bond Order as Exhibit A thereto and shall thereupon be incorporated into this Ordinance by this reference as if set out at this place in full.

Section 19. Not Private Activity Bonds. None of the Bonds is a “private activity bond” as defined in Section 141(a) of the Code. In support of such conclusion, the City certifies, represents and covenants as follows:

(A) No direct or indirect payments are to be made on any Bond or were or are to be made on any Prior Bond with respect to any private business use by any person other than a state or local governmental unit.

(B) None of the proceeds of the Bonds is, and none of the proceeds of the Prior Bonds was or is, to be used, directly or indirectly, to make or finance loans to persons other than a state or local governmental unit.

(C) No user of the public capital infrastructure financed with the proceeds of the Prior Bonds (the “*Prior Project*”) other than the City or another governmental unit will use the same on any basis other than the same basis as the general public; and no person other than the City or another governmental unit will be or has been a user of the Prior Project as a result of (i) ownership or (ii) actual or beneficial use pursuant to a lease, a management or incentive payment contract, or (iii) any other arrangement.

Section 20. Tax Covenants. The City agrees to comply with, and as of the date hereof reasonably expects that it will comply with, all provisions of the Code which, if not complied with by the City, would cause the Bonds not to be tax-exempt. As used herein, “*tax-exempt*” means, with respect to the Bonds, the status of interest paid and received thereon as not includible in the gross income of the owners thereof under the Code for federal income tax purposes except to the extent that such interest is taken into account in computing an adjustment used in determining the alternative minimum tax for certain corporations and in computing the

“branch profits tax” imposed on certain foreign corporations. It shall not be an event of default under this Ordinance if the interest on any of the Bonds is not tax-exempt pursuant to any provision of the Code which is not currently in effect and in existence on the date of the issuance of the Bonds.

In furtherance of the foregoing provisions, but without limiting their generality, the City agrees: (a) through its officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to comply with all representations, covenants and assurances contained in certificates or agreements as may be prepared by counsel approving the Bonds, including, without limitation, a Tax Compliance Agreement (the “*Tax Compliance Agreement*”); (c) to consult with such counsel and to comply with such advice as may be given; (d) to file such forms, statements and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the City in such compliance.

The City further certifies and covenants as follows with respect to the requirements of Section 148(f) of the Code, relating to the rebate of “excess arbitrage profits” (the “*Rebate Requirement*”) to the United States:

(A) Unless an applicable exception to the Rebate Requirement is available to the City, the City will meet the Rebate Requirement.

(B) Relating to applicable exceptions, the City Treasurer or the Mayor is hereby authorized to make such elections under the Code as either such officer shall deem reasonable and in the best interests of the City. If such election may result in a “penalty in lieu of rebate” as provided in the Code, and such penalty is incurred (the “*Penalty*”), then the City shall pay such Penalty.

(C) The officers of the City shall cause to be established, at such time and in such manner as they may deem necessary or appropriate hereunder, a "2012 Bonds Rebate [or Penalty, if applicable] Fund" (the "*148 Compliance Fund*") for the Bonds, and such officers shall further, not less frequently than annually, cause to be transferred to the 148 Compliance Fund the amount determined to be the accrued liability under the Rebate Requirement or Penalty. Said officers shall cause to be paid to the United States Treasury, without further order or direction from the Corporate Authorities, from time to time as required, amounts sufficient to meet the Rebate Requirement or to pay the Penalty.

(D) Interest earnings in the Bond Fund are hereby authorized to be transferred, without further order or direction from the Corporate Authorities, from time to time as required, to the 148 Compliance Fund for the purposes herein provided; and proceeds of the Bonds and other funds of the City are also hereby authorized to be used to meet the Rebate Requirement or to pay the Penalty, but only if necessary after application of investment earnings as aforesaid and only as appropriated by the Corporate Authorities.

The Corporate Authorities also certify and further covenant with the Purchaser and the holders and registered owners of the Bonds from time to time outstanding that so long as any of the Bonds remain unpaid, moneys on deposit in any fund or account in connection with the Bonds, whether or not such moneys were derived from the proceeds of the sale of the Bonds or from any other source, will not be used in a manner which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code, and any lawful regulations promulgated thereunder, as the same presently exist, or may from time to time hereafter be amended, supplemented or revised. The Corporate Authorities reserve the right, however, to make any investment of moneys on deposit in any fund or account in connection with the Bonds permitted by state law, if, when and to the extent that said Section 148 or regulations promulgated

thereunder shall be repealed or relaxed or shall be held void by final decision of a court of competent jurisdiction, but only if any investment made by virtue of such repeal, relaxation or decision would not, in the opinion of an attorney at law or a firm of attorneys of nationally recognized standing in matters pertaining to tax-exempt bonds, result in the inclusion of interest on the Bonds in gross income for federal income tax purposes.

The Corporate Authorities are hereby authorized and directed to make such further covenants, estimates, representation, or assurances as may be necessary or advisable to the end that the Bonds not be "arbitrage bonds" as aforesaid.

The City also agrees and covenants with the Purchaser and the holders of the Bonds from time to time outstanding that, to the extent possible under Illinois law, it will comply with whatever federal law is adopted in the future which applies to the Bonds and affects the tax-exempt status of the Bonds. In furtherance of the foregoing provision, but without limiting its generality, the City agrees: (a) through its Corporate Authorities, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to comply with all representations, covenants and assurances contained in certificates or agreements as may be prepared by counsel approving the Bonds; (c) to consult with such counsel and to comply with such advice as may be given; (d) to file such forms, statements and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the City in such compliance.

Section 21. Registered Form. The City recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order to be and remain tax-exempt. In this connection, the City agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 22. Designation of Issue. The City recognizes the provisions of Section 265(b)(3) of the Code which provide that a “qualified tax-exempt obligation” as therein defined may be treated by certain financial institutions as if it were acquired on August 7, 1986, for certain purposes. The City hereby designates each of the Bonds as may be from time to time outstanding for purposes of Section 265(b)(3) of the Code as a “qualified tax-exempt obligation as provided therein. In support of such designation, the City certifies, represents and covenants as follows:

A. None of the Bonds is a “private activity bond” as defined in Section 141(a) of the Code.

B. Including the Bonds, the City (including any entities subordinate thereto) has not and does not reasonably expect to issue in excess of \$10,000,000 in tax-exempt obligations of any kind during calendar year 2012.

C. Including the Bonds, not more than \$10,000,000 of obligations issued by the City (including any entities subordinate thereto) during the calendar year 2012 have been to date or will be designated by the City for purposes of said Section 265(b)(3)

Section 23. List of Bondholders. The Bond Registrar shall maintain a list of the names and addresses of the owners of all Bonds and upon any transfer shall add the name and address of the new owner and eliminate the name and address of the transferor owner.

Section 24. Duties of Bond Registrar. If requested by the Bond Registrar, the Mayor and Clerk are authorized to execute the Bond Registrar’s standard form of agreement between the City and the Bond Registrar with respect to the obligations and duties of the Bond Registrar hereunder which may include the following:

(a) to act as bond registrar, paying agent, authenticating agent and transfer agent as provided herein;

(b) to maintain a list of the owners of the Bonds as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential;

(c) to give notice of redemption of Bonds as provided herein;

(d) to cancel and/or destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;

(e) to furnish the City at least annually a certificate with respect to Bonds cancelled and/or destroyed; and

(f) to furnish the City at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

Section 25. Provisions a Contract. The provisions of this Ordinance shall constitute a contract between the City and the owners of the outstanding Bonds and no changes, additions, or alterations of any kind shall be made hereto, except as herein provided, so long as there are any outstanding Bonds.

Section 26. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 27. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 28. Effective Date. This ordinance shall be in full force and effect forthwith and immediately upon its passage.

Passed by the Corporate Authorities on October ____, 2012 by a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

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

By: _____

Mayor

APPROVED this ____ day of October, 2012.

Attest:

City Clerk

Alderman _____ moved and Alderman _____ seconded the motion that said ordinance as presented and read by the Clerk be adopted.

After a full and complete discussion thereof, the Mayor directed that the roll be called for a vote upon the motion to adopt the ordinance as read.

Upon the roll being called, the Aldermen _____ voted AYE and Aldermen _____ voted NAY.

Whereupon the Mayor declared the motion carried and the ordinance adopted, and approved and signed the same in open meeting and directed the Clerk to record the same in full in the records of the City Council of the City of Berwyn, Cook County, Illinois.

Other business not pertinent to the adoption of said ordinance was duly transacted at said meeting.

Upon motion duly made and seconded, the meeting was adjourned.

Clerk

MINUTES of a regular public meeting of the City Council of the City of Berwyn, Cook County, Illinois, held at 6700 West 26th Street, Berwyn, Illinois, in said City at _____ o'clock P.M., on the 23rd day of October, 2012.

* * *

The Mayor called the meeting to order and directed the City Clerk to call the roll.

Upon roll call, Mayor Lovero and the following Aldermen answered present _____

The following were absent _____

The Mayor announced that the next item of business before the City Council was the consideration of an ordinance authorizing the issuance of not to exceed \$8,500,000 General Obligation Bonds, Series 2012A for the purpose of refunding certain of the City's outstanding general obligation bonds and paying for the costs of certain capital projects. After a full and complete discussion of said refunding, Alderman _____ presented and the City Clerk read in full the following ordinance which was laid before the Aldermen in words and figures as follows:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION OF ORDINANCE AND MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the City of Berwyn, Cook County, Illinois (the "City"), and as such officer I am the keeper of the books, records, files, and journal of proceedings of the City and of the City Council thereof (the "City Council").

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the City Council held on the ___ day of October, 2012, insofar as same relates to the adoption of Ordinance No. _____ entitled:

AN ORDINANCE authorizing and providing for the issuance of General Obligation Bonds, Series 2012A, of the City of Berwyn, Cook County, Illinois, in the aggregate principal amount not to exceed \$8,500,000 for the purpose of refunding a portion of the City's outstanding bonds and paying for the costs of certain capital projects and costs related thereto and to the issuance of such bonds, authorizing the execution of a bond order, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the City Council on the adoption of said ordinance were taken openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict accordance with the provisions of the Illinois Municipal Code, as amended, and the Open Meetings Act of the State of Illinois, as amended, and that the City Council has complied with all of the applicable provisions of said Code and said Act and its procedural rules in the adoption of said ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City, this ___ day of October, 2012.

Clerk, City of Berwyn, Cook
County, Illinois

(SEAL)



2701 S. Harlem Avenue
Berwyn, IL 60402-2140
(708) 795-8000
Fax (708) 795-8101
www.berwynlibrary.org

October 19, 2012

Re: Replacement of a Page position, 13-15 hours

Mayor Robert Lovero & Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

Dear Mayor Lovero and members of the Berwyn City Council:

Please approve the replacement of an essential job vacancy. The position is included in the 2012 budget. The job circular is attached.

Page (13-15 hours)
\$8.00 – 8.25

This position was held by Luz Romero who finished school and has taken a full time nursing position in La Grange. The position was approved for rehire by the library board on October 15, 2012. This is a minimum wage shelving position that is most often held by a student.

Thank you for your consideration of this request.
Respectfully yours,

A handwritten signature in cursive script, appearing to read 'Tammy Clausen', written in black ink.

Tammy Clausen
Library Director



K. Consent Agenda

The City of Berwyn



Nona N. Chapman
1st Ward Alderman

K-1

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6401 Fax: (708) 788-2875
www.berwyn-il.gov

October 19, 2012

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

SUBJECT: Payroll October 10, 2012

Ladies and Gentlemen:

The current payroll has been prepared for review by the finance department and is ready for approval at the October 23, 2012 meeting.

Payroll: October 10, 2012 in the amount of \$1,051,792.93.

Respectfully Submitted,

Nona N. Chapman
Budget Committee Chairman

K-2

The City of Berwyn



Nona N. Chapman
1st Ward Alderman

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6401 Fax: (708) 788-2675
www.berwyn-il.gov

October 19, 2012

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

SUBJECT: Payables October 23, 2012 meeting

Ladies and Gentlemen:

The current payables were prepared for review by the finance department and are ready for approval at the October 23, 2012 meeting.

Total Payables: October 23, 2012 in the amount of \$552,741.58.

Respectfully Submitted,

Nona N. Chapman
Budget Committee Chairman

Payment Register

From Payment Date: 10/20/2011 - To Payment Date: 10/24/2012

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
01 - General Cash									
<u>Check</u>									
19495	10/10/2012	Open			Accounts Payable	ABC Commercial Maintenance Services, Inc.	\$1,245.00		
19496	10/10/2012	Open			Accounts Payable	Affy Tapple, LLC	\$1,008.00		
19497	10/10/2012	Open			Accounts Payable	Berwyn Western Plumbing & Heating	\$1,558.70		
19498	10/10/2012	Open			Accounts Payable	Clubhouse Designs,LTD.	\$3,474.30		
19499	10/10/2012	Open			Accounts Payable	Doug Wold	\$50.00		
19500	10/10/2012	Open			Accounts Payable	Gaudencia Vicuna	\$50.00		
19501	10/10/2012	Open			Accounts Payable	Horizon Screening	\$4,314.00		
19502	10/10/2012	Open			Accounts Payable	Menards	\$367.30		
19503	10/10/2012	Open			Accounts Payable	Menards	\$81.31		
19504	10/10/2012	Open			Accounts Payable	Menards	\$167.45		
19505	10/10/2012	Open			Accounts Payable	O'Dea Entertainment	\$275.00		
19506	10/10/2012	Open			Accounts Payable	Oriental Trading Company	\$351.29		
19507	10/10/2012	Open			Accounts Payable	Rhode Island Novelty	\$227.00		
19508	10/10/2012	Open			Accounts Payable	Roscoe Company	\$273.61		
19509	10/09/2012	Open			Accounts Payable	DuPage Railroad Safety Council	\$100.00		
19510	10/10/2012	Open			Accounts Payable	Richard C. Dahms	\$1,560.00		
19511	10/10/2012	Open			Accounts Payable	Robert E. Dwan	\$129.80		
19512	10/11/2012	Open			Accounts Payable	Illinois Fire & Police Commissioners Association	\$1,175.00		
19513	10/24/2012	Open			Accounts Payable	19th Street Condo Association	\$125.00		
19514	10/24/2012	Open			Accounts Payable	1st Source America	\$635.01		
19515	10/24/2012	Open			Accounts Payable	Abarr Sales, Inc.	\$378.50		
19516	10/24/2012	Open			Accounts Payable	ABC Automotive Electronics	\$215.00		
19517	10/24/2012	Open			Accounts Payable	ABC Commercial Maintenance Services, Inc.	\$2,398.00		
19518	10/24/2012	Open			Accounts Payable	Across the Street Productions	\$1,155.00		
19519	10/24/2012	Open			Accounts Payable	Advanced Occupational Medicine Specialists	\$45.00		
19520	10/24/2012	Open			Accounts Payable	Air One Equipment, Inc.	\$5,100.00		
19521	10/24/2012	Open			Accounts Payable	Air One Equipment, Inc.	\$47.97		
19522	10/24/2012	Open			Accounts Payable	Airgas North Central	\$117.66		
19523	10/24/2012	Open			Accounts Payable	Aladtec Incorporated	\$1,320.00		
19524	10/24/2012	Open			Accounts Payable	American Red Cross-Health & Safety Services	\$70.00		
19525	10/24/2012	Open			Accounts Payable	Amsterdam Printing and Litho Corporation	\$174.87		
19526	10/24/2012	Open			Accounts Payable	Amy DeLuna	\$109.00		
19527	10/24/2012	Open			Accounts Payable	Antonio Montiel	\$36.50		
19528	10/24/2012	Open			Accounts Payable	AT & T	\$228.09		
19529	10/24/2012	Open			Accounts Payable	AT & T	\$3,238.66		
19530	10/24/2012	Open			Accounts Payable	AT& T	\$1,654.26		
19531	10/24/2012	Open			Accounts Payable	AT& T Long Distance	\$6.96		
19532	10/24/2012	Open			Accounts Payable	AT&T Global Services, Inc.	\$446.25		
19533	10/24/2012	Open			Accounts Payable	B & B Wholesale Distributors	\$88.00		
19534	10/24/2012	Open			Accounts Payable	B. Davids Landscaping	\$840.00		
19535	10/24/2012	Open			Accounts Payable	Baker & Taylor Entertainment, Inc.	\$875.84		
19536	10/24/2012	Open			Accounts Payable	Barge Terminal & Trucking	\$5,887.10		

Payment Register

From Payment Date: 10/20/2011 - To Payment Date: 10/24/2012

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
19537	10/24/2012	Open			Accounts Payable	Berwyn Ace Hardware	\$33.98		
19538	10/24/2012	Open			Accounts Payable	Berwyn Western Plumbing & Heating	\$129.00		
19539	10/24/2012	Open			Accounts Payable	Bob's Lawn Care, Inc.	\$382.00		
19540	10/24/2012	Open			Accounts Payable	CablesAndKits.com	\$329.95		
19541	10/24/2012	Open			Accounts Payable	Cardinal Tracking, Inc.	\$1,424.54		
19542	10/24/2012	Open			Accounts Payable	Cassidy Tire	\$717.45		
19543	10/24/2012	Open			Accounts Payable	CDW Government, Inc.	\$9,939.67		
19544	10/24/2012	Open			Accounts Payable	CenterPoint Energy Services, Inc.	\$3,850.87		
19545	10/24/2012	Open			Accounts Payable	Chicago Badge Company	\$74.00		
19546	10/24/2012	Open			Accounts Payable	Chicago Tribune	\$8.00		
19547	10/24/2012	Open			Accounts Payable	Cicero Gutters & Supply Company, Inc.	\$710.00		
19548	10/24/2012	Open			Accounts Payable	Citadel	\$953.60		
19549	10/24/2012	Open			Accounts Payable	Comcast Cable	\$237.84		
19550	10/24/2012	Open			Accounts Payable	ComEd	\$1,091.03		
19551	10/24/2012	Open			Accounts Payable	Constellation New Energy, Inc.	\$572.69		
19552	10/24/2012	Open			Accounts Payable	Cornerstone Institutional, LLC	\$2,127.00		
19553	10/24/2012	Open			Accounts Payable	Corpro Companies, Inc.	\$2,270.00		
19554	10/24/2012	Open			Accounts Payable	Cuda Law Offices, LTD	\$3,957.50		
19555	10/24/2012	Open			Accounts Payable	Del Galdo Law Group, LLC	\$5,881.12		
19556	10/24/2012	Open			Accounts Payable	Diamond Graphics, Inc.	\$1,191.25		
19557	10/24/2012	Open			Accounts Payable	Doza Builders, LTD	\$9,295.00		
19558	10/24/2012	Open			Accounts Payable	E & M Maintenance Group	\$1,145.00		
19559	10/24/2012	Open			Accounts Payable	Empire Cooler Service, Inc.	\$92.00		
19560	10/24/2012	Open			Accounts Payable	Exelon Energy Company	\$2,673.77		
19561	10/24/2012	Open			Accounts Payable	Federal Rent-a-Fence, Inc.	\$72.00		
19562	10/24/2012	Open			Accounts Payable	Felco Vending, Inc.	\$64.00		
19563	10/24/2012	Open			Accounts Payable	Fire Safety Consultants, Inc.	\$390.00		
19564	10/24/2012	Open			Accounts Payable	Flash Electric Company	\$1,830.00		
19565	10/24/2012	Open			Accounts Payable	Fluid Pump Service, Inc.	\$829.84		
19566	10/24/2012	Open			Accounts Payable	Fox Valley Fire & Safety	\$2,667.00		
19567	10/24/2012	Open			Accounts Payable	Fra Noi	\$19.00		
19568	10/24/2012	Open			Accounts Payable	Freeway Ford Truck Sales, Inc.	\$3,126.31		
19569	10/24/2012	Open			Accounts Payable	Fullmer Locksmith Service, Inc.	\$100.00		
19570	10/24/2012	Open			Accounts Payable	G.W.Berkheimer Co., Inc.	\$375.00		
19571	10/24/2012	Open			Accounts Payable	GALE	\$233.16		
19572	10/24/2012	Open			Accounts Payable	Galls, LLC	\$155.59		
19573	10/24/2012	Open			Accounts Payable	GG Development Corp.	\$840.00		
19574	10/24/2012	Open			Accounts Payable	Grainger	\$141.61		
19575	10/24/2012	Open			Accounts Payable	Great West Electric Supply Company	\$432.75		
19576	10/24/2012	Open			Accounts Payable	Gurtner Plumbing, Inc.	\$5,148.00		
19577	10/24/2012	Open			Accounts Payable	Harvey Place Condo Association	\$265.43		
19578	10/24/2012	Open			Accounts Payable	HD Supply Waterworks, LTD	\$44,584.62		
19579	10/24/2012	Open			Accounts Payable	Home Depot Credit Services	\$1,184.02		
19580	10/24/2012	Open			Accounts Payable	Horizon Screening	\$1,459.75		
19581	10/24/2012	Open			Accounts Payable	Illinois Fire & Police Commissioners Association	\$375.00		
19582	10/24/2012	Open			Accounts Payable	Infinity Sign & Graphics	\$489.75		
19583	10/24/2012	Open			Accounts Payable	Ingram Library Services	\$2,197.45		
19584	10/24/2012	Open			Accounts Payable	Jack's Rental, Inc.	\$591.21		

Payment Register

From Payment Date: 10/20/2011 - To Payment Date: 10/24/2012

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
19585	10/24/2012	Open			Accounts Payable	JNC Consulting, Inc.	\$2,750.00		
19586	10/24/2012	Open			Accounts Payable	John Wysocki	\$43.96		
19587	10/24/2012	Open			Accounts Payable	Judith A. Cuchna	\$1,475.00		
19588	10/24/2012	Open			Accounts Payable	K's Quality Construction, Inc.	\$1,165.00		
19589	10/24/2012	Open			Accounts Payable	Kamran Investments	\$1,475.00		
19590	10/24/2012	Open			Accounts Payable	KB Lawn and Mulch	\$780.00		
19591	10/24/2012	Open			Accounts Payable	Key Equipment Finance	\$550.16		
19592	10/24/2012	Open			Accounts Payable	Key Government Finance, Inc.	\$3,521.52		
19593	10/24/2012	Open			Accounts Payable	Kiwanis Club of Berwyn	\$575.00		
19594	10/24/2012	Open			Accounts Payable	Knit Simple	\$19.97		
19595	10/24/2012	Open			Accounts Payable	L - K Fire Extinguisher Service	\$100.00		
19596	10/24/2012	Open			Accounts Payable	Landscape Forms, Inc.	\$23,914.90		
19597	10/24/2012	Open			Accounts Payable	Lanzillotti, Gribben & Marchuk	\$2,927.25		
19598	10/24/2012	Open			Accounts Payable	Laura Krasny	\$1,475.00		
19599	10/24/2012	Open			Accounts Payable	Lawndale News	\$1,067.58		
19600	10/24/2012	Open			Accounts Payable	Lyons Tree Service, Inc.	\$8,480.00		
19601	10/24/2012	Open			Accounts Payable	M & M Window Cleaning Services	\$175.00		
19602	10/24/2012	Open			Accounts Payable	M. K. Sports	\$2,790.00		
19603	10/24/2012	Open			Accounts Payable	MacNeal Phy Group [OCCMED]	\$8,350.00		
19604	10/24/2012	Open			Accounts Payable	Maria Davila	\$6,922.86		
19605	10/24/2012	Open			Accounts Payable	Martin-Aire Heating & Cooling, Inc.	\$15,000.00		
19606	10/24/2012	Open			Accounts Payable	McDonald Modular Solutions, Inc.	\$285.00		
19607	10/24/2012	Open			Accounts Payable	McDonough Mechanical Services, Inc.	\$1,702.42		
19608	10/24/2012	Open			Accounts Payable	McGuire's II, LLC	\$285.25		
19609	10/24/2012	Open			Accounts Payable	Meggitt Training System	\$939.52		
19610	10/24/2012	Open			Accounts Payable	Menards	\$910.08		
19611	10/24/2012	Open			Accounts Payable	Menards	\$1.90		
19612	10/24/2012	Open			Accounts Payable	Menards	\$103.07		
19613	10/24/2012	Open			Accounts Payable	Michael Konopasek	\$140.00		
19614	10/24/2012	Open			Accounts Payable	Midwest Tape	\$348.83		
19615	10/24/2012	Open			Accounts Payable	Miguel A. Santiago Consulting, Inc	\$5,000.00		
19616	10/24/2012	Open			Accounts Payable	Mike & Sons	\$3,375.65		
19617	10/24/2012	Open			Accounts Payable	Municipal Electronics, Inc.	\$71.15		
19618	10/24/2012	Open			Accounts Payable	National Pen Corporation	\$517.90		
19619	10/24/2012	Open			Accounts Payable	National Trust for Historic Preservation	\$30.00		
19620	10/24/2012	Open			Accounts Payable	Neal & Leroy, LLC	\$11,006.80		
19621	10/24/2012	Open			Accounts Payable	Newegg Business	\$69.66		
19622	10/24/2012	Open			Accounts Payable	Nicor Gas	\$380.84		
19623	10/24/2012	Open			Accounts Payable	Nicor Gas	\$372.11		
19624	10/24/2012	Open			Accounts Payable	Northeast Wisconsin Technical College	\$75.00		
19625	10/24/2012	Open			Accounts Payable	Odelson & Sterk, LTD	\$2,165.75		
19626	10/24/2012	Open			Accounts Payable	Office Depot	\$120.50		
19627	10/24/2012	Open			Accounts Payable	Office Equipment Sales	\$1,163.64		
19628	10/24/2012	Open			Accounts Payable	Orland Park Public Library	\$28.00		
19629	10/24/2012	Open			Accounts Payable	Petrit Fejzuloski	\$68,857.14		
19630	10/24/2012	Open			Accounts Payable	Pilgram Management Company	\$455.18		
19631	10/24/2012	Open			Accounts Payable	Pitney Bowes	\$2,313.00		
19632	10/24/2012	Open			Accounts Payable	Pitney Bowes	\$150.75		

Payment Register

From Payment Date: 10/20/2011 - To Payment Date: 10/24/2012

Number	Date	Status	Void Reason	Reconciled/ Voided Data	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
19633	10/24/2012	Open			Accounts Payable	Rafael Avila	\$500.00		
19634	10/24/2012	Open			Accounts Payable	Restore Construction, Inc.	\$657.00		
19635	10/24/2012	Open			Accounts Payable	Richard C. Dahms	\$780.00		
19636	10/24/2012	Open			Accounts Payable	Roadsafe - Romeoville	\$4,058.50		
19637	10/24/2012	Open			Accounts Payable	Robert J. Lovero	\$202.37		
19638	10/24/2012	Open			Accounts Payable	Roscoe Company	\$460.78		
19639	10/24/2012	Open			Accounts Payable	Sam's Club / GEGRB	\$1,264.59		
19640	10/24/2012	Open			Accounts Payable	Santo Sport Store	\$690.00		
19641	10/24/2012	Open			Accounts Payable	Sarah's Inn	\$2,486.00		
19642	10/24/2012	Open			Accounts Payable	Seguin Services, Inc.	\$52,750.00		
19643	10/24/2012	Open			Accounts Payable	Simmons Pest Control	\$150.00		
19644	10/24/2012	Open			Accounts Payable	Sirchie Finger Print Laboratories	\$1,046.64		
19645	10/24/2012	Open			Accounts Payable	Snappy Convenience Center #12	\$14.50		
19646	10/24/2012	Open			Accounts Payable	Softmart	\$1,672.50		
19647	10/24/2012	Open			Accounts Payable	Software One	\$3,848.00		
19648	10/24/2012	Open			Accounts Payable	Solid Equipment Service, Inc.	\$198.40		
19649	10/24/2012	Open			Accounts Payable	Solutions for Care	\$12,000.00		
19650	10/24/2012	Open			Accounts Payable	Sprint	\$1,031.24		
19651	10/24/2012	Open			Accounts Payable	Standard Equipment Company	\$582.95		
19652	10/24/2012	Open			Accounts Payable	Storino, Ramello & Durkin	\$3,953.40		
19653	10/24/2012	Open			Accounts Payable	Strictly Sewers	\$1,200.00		
19654	10/24/2012	Open			Accounts Payable	Suburban Laboratories, Inc.	\$365.50		
19655	10/24/2012	Open			Accounts Payable	SWAN	\$10,739.74		
19656	10/24/2012	Open			Accounts Payable	Tantor Media	\$165.57		
19657	10/24/2012	Open			Accounts Payable	Target Auto Parts	\$8,888.13		
19658	10/24/2012	Open			Accounts Payable	Taylor Lazzara	\$320.00		
19659	10/24/2012	Open			Accounts Payable	Tele-Tron Ace Hardware	\$213.05		
19660	10/24/2012	Open			Accounts Payable	Tele-Tron Ace Hardware	\$351.09		
19661	10/24/2012	Open			Accounts Payable	Tele-Tron Ace Hardware	\$84.98		
19662	10/24/2012	Open			Accounts Payable	Terra Engineering, LTD.	\$11,832.27		
19663	10/24/2012	Open			Accounts Payable	Texor World Fuel Services	\$1,056.68		
19664	10/24/2012	Open			Accounts Payable	The Archaeological Conservancy	\$25.00		
19665	10/24/2012	Open			Accounts Payable	The Knox Company	\$133.00		
19666	10/24/2012	Open			Accounts Payable	The Union Arms Company	\$150.00		
19667	10/24/2012	Open			Accounts Payable	Third Millennium Associates, Inc.	\$16,266.83		
19668	10/24/2012	Open			Accounts Payable	Thyssenkrupp Elevator Corporation	\$1,089.69		
19669	10/24/2012	Open			Accounts Payable	Total Parking Solutions, Inc.	\$2,340.00		
19670	10/24/2012	Open			Accounts Payable	Town of Cicero, Animal Welfare Dept.	\$1,372.75		
19671	10/24/2012	Open			Accounts Payable	Truckpro - Chicago	\$18.17		
19672	10/24/2012	Open			Accounts Payable	Tyco Intergrated Security LLC	\$54.00		
19673	10/24/2012	Open			Accounts Payable	U.S. Cellular	\$178.63		
19674	10/24/2012	Open			Accounts Payable	U.S. Postmaster	\$450.00		
19675	10/24/2012	Open			Accounts Payable	Unique Management Services, Inc.	\$116.35		
19676	10/24/2012	Open			Accounts Payable	Unique Plumbing	\$22,710.27		
19677	10/24/2012	Open			Accounts Payable	Unique Plumbing	\$19,230.41		
19678	10/24/2012	Open			Accounts Payable	US Gas	\$136.80		
19679	10/24/2012	Open			Accounts Payable	USIC Locating Services, Inc.	\$2,691.44		
19680	10/24/2012	Open			Accounts Payable	VCA Berwyn Animal Hospital	\$162.22		
19681	10/24/2012	Open			Accounts Payable	Virginia Rosales	\$1,475.00		
19682	10/24/2012	Open			Accounts Payable	Weimer Machine	\$547.95		

Payment Register

From Payment Date: 10/20/2011 - To Payment Date: 10/24/2012

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
19683	10/24/2012	Open			Accounts Payable	Wescon Underground, Inc.	\$2,500.00		
19684	10/24/2012	Open			Accounts Payable	West Payment Center	\$296.10		
19685	10/24/2012	Open			Accounts Payable	West Suburban Special Recreation Association	\$15,000.00		
19686	10/24/2012	Open			Accounts Payable	William Richter	\$500.00		
19687	10/24/2012	Open			Accounts Payable	Wilson Sporting Goods	\$174.12		
19688	10/24/2012	Open			Accounts Payable	Wold Architects and Engineers	\$650.00		
19689	10/24/2012	Open			Accounts Payable	Zee Medical, Inc.	\$191.45		
Type Check Totals:							\$552,741.58		
01 - General Cash Totals									

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	195	\$552,741.58	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	195	\$552,741.58	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	195	\$552,741.58	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	195	\$552,741.58	\$0.00

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	195	\$552,741.58	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	195	\$552,741.58	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	195	\$552,741.58	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	195	\$552,741.58	\$0.00

Mayor
Robert J. Lovero



City Clerk
Thomas J. Pavlik

K-3

M E M O R A N D U M

October 23, 2012

TO: The Honorable Robert J. Lovero
Members of the City Council

FR: Thomas J. Pavlik
City Clerk

RE: Handicap Applications

Attached is a handicap sign application submitted for your consideration.

After review by the Police Department, Public Works and Traffic Department, the staff recommendation is to deny the request.

<u>Address</u>	<u>Owner Name</u>	<u>Application #</u>
2100 S. Highland	John Spina	810

Thank you very much.



Berwyn Police Department

6401 West 31st. Street
Berwyn, Illinois 60402
708-795-5600
Fax 708-795-5627
Emergency Call 911

CLERK'S OFFICE

2012 SEP 10 AM 11:13

Handicapped - Parking / Zone Request Form

To : **Mayor Robert J. Lovero**
From: **Berwyn Police Department Community Service Division**
Date : **7/12/2012**
Officer: **T. Young #183**

Applicant Name: **John Spina**

Address: **2100 S Highland Ave**

Telephone: _____

Nature of Disability: _____

Information

	Yes	No		Yes	No
Doctor's Note/ Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Handicapped Plate	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Handicapped Placard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Driveway:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	<input type="checkbox"/>	<input type="checkbox"/>
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker / Cane:	<input type="checkbox"/>	<input type="checkbox"/>
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	<input type="checkbox"/>	<input type="checkbox"/>

Meets Police Dept Requirements	Space	Yes	No
	Zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Report # **12-07904**

5 Ward Alderman: _____

Staff Recommendation	
Approved <input type="checkbox"/>	Denied <input checked="" type="checkbox"/>

Incident#: 12-07904

OFFICIAL SWORN POLICE REPORT

Berwyn Police Department

6401 West 31st Street Berwyn, IL 60402 (708) 795-5600

STATION COMPLAINT UCR/Offense Code	DESCRIPTION	INCIDENT #
9041 (Applicant File)	Applicant File	12-07904
REPORT TYPE	RELATED CAD #	HOW RECEIVED
Incident Report	C12-036890	In Person
WHEN REPORTED	LOCATION OF OFFENSE (HOUSE NO., STREET NAME)	STATUS DATE
07/12/2012 08:32	2100 S HIGHLAND AV Berwyn, IL 60402	
TIME OF OCCURRENCE	STATUS CODE	
07/12/2012 08:32		

INVOLVED ENTITIES							
NAME	DOB	AGE	ADDRESS				
Spina, John		69	2100 S HIGHLAND AV Berwyn, IL 60402				
SEX	RACE	HGT	WGT	HAIR	EYES	PHONE	
M							
SID #	DL #	FBI #	ALT PHONE				

CLOTHING

UCR	TYPE	RELATED EVENT #
9041 (Applicant File) - 0 count(s)		

NAME	DOB	AGE	ADDRESS				
Spina, Michelle			2100 S HIGHLAND AV 2ND FLOOR Berwyn, IL 60402				
SEX	RACE	HGT	WGT	HAIR	EYES	PHONE	
F							
SID #	DL #	FBI #	ALT PHONE				

DRAFT

CLOTHING

UCR	TYPE	RELATED EVENT #
9041 (Applicant File) - 0 count(s)	Other	

INVOLVED VEHICLES					
VEHICLE #	STATE	TYPE	INVOLVEMENT	VIN #	
L172193	IL	Sedan	Involved		
YEAR	MAKE	MODEL	COLOR	COMMENTS	
2008	Chevrolet	Impala	Red		
OWNER					

NARRATIVES

PRIMARY NARRATIVE

In summary:

John Spina is requesting a handicapped parking space next to his residence located at 2100 S Highland Ave. Mr. Spina drives a 2008 Chevy Impala red in color bearing Il plate # L172193 and has a valid handicapped placard # BF31429. Mr. Spina is renting his apartment from Michelle Spina and has the owner consent letter attached. There is a garage and driveway at the residence to which Mr. Spina has no access to use. Mr Spina . Mr. Spina meets the requirments for a handicapped space. Nothing further at this time.

REPORTING OFFICER	STAR #	APPROVED BY	STAR #
YOUNG, FERRY	183		

**Handicapped Space/Zone
Public Works Site Inspection**

Application # 810

Public Works Director or Designee Robert Schiller

Comments: _____

Meets Public Works Criteria:

Parking Space	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Parking Zone	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Date: 9/7/2012

Police Report # 12-07904

**Handicapped Space/Zone
Traffic Engineer Site Inspection**

Application # 810

Traffic Engineer or Designee Nicole Campbell

Comments: Garage and driveway.

Meets Traffic Criteria for:

Parking Space	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Parking Zone	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Date: 9/7/2012

Police Report # 12-07904

Robert J. Lovero
Mayor



1 - -07907
James D. Ritz
Chief of Police

JUN 21 2012

A Century of Progress with Pride

Affidavit For Handicapped Parking Sign or Drop Off Zone

You must have a permanent Handicap State Plate or Handicap Placard to park any vehicle in a designated Handicap Parking space

John Spina
(Name of Handicapped Applicant)

2100 Highland
(Berwyn Address)

Michelle Spina
(Name of caregiver, or guardian if minor)

[Redacted]
(Telephone /Cell Phone Number)

Is there a garage on the property? Yes / No

Are you the homeowner? Yes ___ No

Driveway Carport ___

All Applicants must submit the Physicians form (A)

***Renters must submit the Owner Consent form (B).**

Vehicle Information

Chevy Impala
(Vehicle make and model)

RED
(Color / Year)

117 2193
(Illinois License Plate Number)

40062
(Current City Vehicle Sticker Number)

[Redacted]
(Illinois Handicapped Plate)

BF 31429
(Illinois Permanent Handicap Placard Number)

I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit, which said person knows to be false or believes to be false.

John Spina

6/18/12

Return the completed form to the Parking Division at the Berwyn Police Department
6401 West 31st Street, Berwyn, Illinois

Robert J. Lovero
Mayor



James D. Ritz
Chief of Police

A Century of Progress with Pride

(Signature of handicapped person or their legal guardian)

(Date)

Physician Form (A)

This form must be filled out in its entirety and signed by your physician.

Physician must state, by printing below, the nature of the patient's handicap

Does the patient utilize any of the following? :

Walker _____ Wheel Chair _____ Cane _____ Oxygen _____

I hereby certify that the physical conditions of the above named "Handicapped Person" constitutes him/her as a handicapped person as defined under the statutory provision Par. 1-159 (Physically Handicapped Person - Every natural person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair.)

(Physician's Signature/Stamp)

6/13/12

(Date)

(Print Physician's Name)

(Address and Telephone Number)

Return the completed form to the Parking Division at the Berwyn Police Department
6401 West 31st Street, Berwyn, Illinois

Robert J. Lovero
Mayor



James D. Ritz
Chief of Police

A Century of Progress with Pride

Form B
Owner Consent For Handicap Sign
Placement/Drop-off Zone

I Michelle Spina, owner/manager of the property at
2100 Highland Ave., state as follows:

- 1) That John Spina (dad) is a tenant at the above listed property.
- 2) That John Spina has no access to any parking on the premises.
- 3) That if John Spina is granted a handicapped sign or drop-off zone by the City of Berwyn, I have no objection to the placement of signs in front of this address.
- 4) I agree to notify the City of Berwyn if John Spina no longer resides on the premises.

Michelle Spina 6/16/12
Signature/Date

Name: Michelle Spina
Address: 2100 Highland Ave.
Phone#: _____

Return the completed form to the Parking Division at the Berwyn Police Department
6401 West 31st Street, Berwyn, Illinois

Mayor
Robert J. Lovero



City Clerk
Thomas J. Pavlik

K-4

M E M O R A N D U M

October 23, 2012

TO: The Honorable Robert J. Lovero
Members of the City Council

FR: Thomas J. Pavlik
City Clerk

RE: Handicap Applications

Attached is a handicap sign application submitted for your consideration.

After review by the Police Department, Public Works and Traffic Department, the staff recommendation is to deny the request.

<u>Address</u>	<u>Owner Name</u>	<u>Application #</u>
1525 S. Highland	Mary Maldonado	768

Thank you very much.

Berwyn Police Department

6401 West 31st Street
Berwyn, Illinois 60402-0733
Phone (708) 795-5600

(Fax) 795-5627 Emergency 911

CITY OF BERWYN
CLERK'S OFFICE
2011 AUG -5 P 3.1

Handicapped Parking Sign Request & Report

To: Mayor Robert J. Lovero
And Members of City Council

From: Berwyn Police Department
Community Service Division

Date: 08-04-2011

Application: 768

Name of Applicant: Mary Maldonado

Address: 1525 S. Highland Ave, Berwyn IL 60402

Telephone:

Nature of Disability:

Information	YES	NO	Information	YES	NO
Doctor's Note/ Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Handicap Plates:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:		
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:		
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:		
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:		
Meets Requirements:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Report Number: 11-09146		

Recommendation: APPROVE DENY

Reporting Officer: Raimondi#192

Comments:

Alderman: ~~CANTON~~

Ward: 5



Berwyn Police Department



6401 West 31st Street
Berwyn, Illinois 60402-8733
Phone (708) 795-5600
(Fax) 795-5627 Emergency 911

HANDICAPPED PARKING INTERVIEW FORM

Name of Handicapped Person: Mary C. Maldonado

Applicant Address: 1525 S. Highland Ave, Berwyn IL 60402

Applicant Phone # _____

Applicant D/L or ID#: N/A

D.O.B: _____

Caregivers Name: Hector O. Saenz

Caregivers D/L #: _____

Vehicle Make: Ford Vehicle Model: _____ Vehicle Year: 2000 Vehicle Color: Brown

License Plate: L639300

Handicapped Placard #: BB63829

Does Applicant Use:

Wheelchair: Walker: Cane: Oxygen:

Parking Availability:

Driveway: Garage: On Street: Off Street:

Notes: Mary Maldonado is requesting handicapped parking signs to be placed in front of her residence. Ms. Maldonado suffer There is a garage on the premises, and a cement slab.

Applicant Interview

Date: 08-04-2011	Time: <u>14:00 Hrs</u>	Results: _____
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____

Completion Date: 08-05-2011

Logged In Book: 08-05-2011

Application Number: 767

Robert J. Lovero
Mavor



James D. Ritz
Chief of Police

A Century of Progress with Pride

AFFIDAVIT FOR HANDICAPPED PARKING SIGN

You must have a Handicap State Plate or Handicap Card
to park any vehicle in a designated Handicap Parking space

Mary C. Maldonado
(Name of Handicapped Applicant)

1525 So. Highland Ave
(Address)

639300
(Name of careeiver, if applicable)

(Telephone Number)

(Illinois Handicapped License Plate Number)

Berwyn ILL, 60402
(City Vehicle Sticker Number and Year)

Rector O. Saenz
(Illinois License Plate Number)

(Illinois Handicap Placard Number)

I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit, which said person knows to be false or believes to be false.

Mary C. Maldonado 06-27-2011
(Signature of handicapped person or their legal guardian) (Date)

Physician must state, by printing below, the nature of the patient's handicap

I hereby certify that the physical conditions of the above named "Handicapped Person" constitutes him/her as a handicapped person as defined under the statutory provision Par. 1-159 (Physically Handicapped Person - Every natural person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair.)

[Signature]
(Physician's Signature)

6/27/2011
(Date)

(Print Physician's Name, Address and Telephone Number)

Return the completed form to the Parking Division at the Berwyn Police Department
6401 West 31st Street, Berwyn, Illinois

OFFICIAL SWORN POLICE REPORT

Berwyn Police Department

6401 West 31st Street Berwyn, IL 60402 (708) 795-5600

Incident#: 11-09146

STATION COMPLAINT UCR	DESCRIPTION	INCIDENT #
9041 (Applicant File)	Applicant File	11-09146
REPORT TYPE	RELATED CAD #	HOW RECEIVED
Incident Report	C11-038617	
WHEN REPORTED	LOCATION OF OFFENSE (HOUSE NO., STREET NAME)	
08 04 2011 14:50	1525 S HIGHLAND AV Berwyn, IL 60402	
TIME OF OCCURRENCE	STATUS CODE	STATUS DATE
08 04 2011 14:50		

INVOLVED ENTITIES

NAME	DOB	AGE	ADDRESS
SAENZ, HECTOR O			1525 S HIGHLAND AV Berwyn, IL 60402
SEX	RACE	HGT	WGT
M		5' 8"	165
CLOTHING		HAIR	EYES
		Black	Brown
		SID #	DL #
			FBI #

UCR	TYPE	RELATED EVENT #
9041 (Applicant File) - 0 count(s)	Other	

NAME	DOB	AGE	ADDRESS
Maldonado, Mary C			1525 S HIGHLAND AV Berwyn, IL 60402
SEX	RACE	HGT	WGT
F			
CLOTHING		HAIR	EYES
		SID #	DL #
			FBI #

UCR	TYPE	RELATED EVENT #
9041 (Applicant File) - 0 count(s)	Reporting Party	

INVOLVED VEHICLES

VEHICLE #	STATE	TYPE	INVOLVEMENT	VIN #
L639300	IL	Sedan, 4-door		
YEAR	MAKE	MODEL	COLOR	COMMENTS
2000	Ford	(unknown)	Brown	
OWNER				

SAENZ, HECTOR O

NARRATIVES

PRIMARY NARRATIVE

In Summary:

Mary Maldonado, d.o.b. _____, who resides at 1525 S Highland Ave. Berwyn, IL 60402, is requesting handicapped parking signs to be placed in front of her residence. Ms. Maldonado does not drive, however, she resides with her caregiver, Hector Saenz _____, who transports her to and from her home. Ms Maldonado suffers _____. There is no side driveway, but there IS a garage and a cement slab on the premises, which provide sufficient parking availability for two vehicles.

Mary Maldonado meets the City and State requirements for being handicapped

For the above listed reasons, this officer feels that this application should be denied at this time

REPORTING OFFICER	STAR #	REVIEWER	STAR #
RAMONDI, MARGO J	192		

OFFICIAL SWORN POLICE REPORT

Berwyn Police Department

6401 West 31st Street Berwyn, IL 60402 (708) 795-5600

Incident #: 11-09146

STATION COMPLAINT UCR
9041 (Applicant File)
REPORT TYPE
Incident Report
WHEN REPORTED
08 04 2011 14:50
TIME OF OCCURRENCE
08 04 2011 14:50

DESCRIPTION
Applicant File
RELATED CAD #
C11-038617
LOCATION OF OFFENSE (HOUSE NO., STREET NAME)
1525 S HIGHLAND AV Berwyn, IL 60402
STATUS CODE

INCIDENT #
11-09146
HOW RECEIVED

STATUS DATE

ASSISTING OFFICERS

OFFICERS

STAR #



1525

Mayor
Robert J. Lovero



City Clerk
Thomas J. Pavlik

K-5

M E M O R A N D U M

October 23, 2012

TO: The Honorable Robert J. Lovero
Members of the City Council

FR: Thomas J. Pavlik
City Clerk

RE: Handicap Applications

Attached is a handicap sign application submitted for your consideration.

After review by the Police Department, Public Works and Traffic Department, the staff recommendation is to approve this request.

<u>Address</u>	<u>Owner Name</u>	<u>Application #</u>
1408 S Kenilworth	Elva Parra	801

Thank you very much.

**Handicapped Space/Zone
Public Works Site Inspection**

JUN 13 2012

Application # 801

Public Works Director or Designee Robert Schiller

Comments: _____

Meets Public Works Criteria:

Parking Space	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Parking Zone	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Date: 6/11/2012

Police Report # 12-04682

**Handicapped Space/Zone
Traffic Engineer Site Inspection**

Application # 801

Traffic Engineer or Designee Nicole Campbell

Comments: _____

Meets Traffic Criteria for:

Parking Space	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Parking Zone	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Date: 6/11/2012

Police Report # 12-04682



Berwyn Police Department

600 West 11th Street
Berwyn, Illinois 60402
Tel: 708-945-6100
Fax: 708-945-6127
Emergency Call 911

JUN 13 2012

Handicapped - Parking / Zone Request Form

To : Mayor Robert J. Lovero
From: Berwyn Police Department Community Service Division
Date : 4/9/2012
Officer: Margo Raimondi#192

Applicant Name: Elva Parra

Address: 1408 S. Kenilworth Ave. Berwyn Il. 60402

Telephone:

Nature of Disability:

Information

Doctor's Note/ Affidavit:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Interviewed:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Owner's Support Letter	<input checked="" type="checkbox"/> <input type="checkbox"/>	Handicapped Plate	<input type="checkbox"/> <input checked="" type="checkbox"/>
Garage:	<input checked="" type="checkbox"/> <input type="checkbox"/>	Handicapped Placard	<input type="checkbox"/> <input checked="" type="checkbox"/>
Driveway:	<input type="checkbox"/> <input checked="" type="checkbox"/>	Wheelchair:	<input type="checkbox"/> <input type="checkbox"/>
Off Street:	<input type="checkbox"/> <input checked="" type="checkbox"/>	Walker / Cane:	<input type="checkbox"/> <input type="checkbox"/>
On Street:	<input checked="" type="checkbox"/> <input type="checkbox"/>	Oxygen:	<input type="checkbox"/> <input type="checkbox"/>

Meets Police Dept Requirements	Space	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Zone	<input type="checkbox"/> <input type="checkbox"/>

Report # 12-04682

Ward Alderman:
Jaureto

Staff Recommendation	
Approved <input checked="" type="checkbox"/>	Denied <input type="checkbox"/>

OFFICIAL SWORN POLICE REPORT

Berwyn Police Department

6401 West 31st Street Berwyn, IL 60402 (708) 795-5600

Incident#: 12-04682

STATION COMPLAINT UCR	DESCRIPTION	INCIDENT #
9011 (Applicant File)	Applicant File	12-04682
REPORT TYPE	RELATED CAD #	HOW RECEIVED
Incident Report	C12-020402	Telephone
WHEN REPORTED	LOCATION OF OFFENSE (HOUSE NO., STREET NAME)	STATUS DATE
01/23/2012 10:25	1408 KENILWORTH AVE BERWYN, IL 60402	
TIME OF OCCURRENCE	STATUS CODE	
01/23/2012 10:25		

INVOLVED ENTITIES

NAME	DOB	AGE	ADDRESS
Parra, Elva		78	1408 S KENILWORTH AVE Berwyn, IL 60402
SEX	RACE	HGT	WGT
F	White, Caucasian		
SID #	DL #	FBI #	ALT PHONE

CLOTHING

UCR	TYPE	RELATED EVENT #
9011 (Applicant File) - 0 count(s)	Reporting Party	

INVOLVED VEHICLES

VEH/PLATE #	STATE	TYPE	INVOLVEMENT	VIN #
C539498	IL	Sedan 4-door		
YEAR	MAKE	MODEL	COLOR	COMMENTS
1995	Chevrolet	Geo Prizm		
OWNER				
Parra, Elva				

NARRATIVES

PRIMARY NARRATIVE

Elva Parra, who resides at 1408 S. Kenilworth Ave. Berwyn, IL, is requesting handicapped parking signs to be placed in front of her residence. Ms Parra suffers from There is a garage on the premises however. Ms Parra relates that she does not have access to the garage because her son currently uses the garage for his construction business.

For the above stated reasons, this officer feels that this application should be considered for approval at this time.

REPORTING OFFICER	STAR #	APPROVED BY	STAR #
MERAIMOND	192		

Robert J. Lovero
Mayor



James D. Ritz
Chief of Police

A Century of Progress with Pride

(Signature of handicapped person or their legal guardian)

(Date)

Physician Form (A)

This form must be filled out in its entirety and signed by your physician.

Physician must state, by printing below, the nature of the patient's handicap

Spinal cord injury
of the lower back

Does the patient utilize any of the following? :

Walker _____ Wheel Chair _____ Cane _____ Oxygen _____

I hereby certify that the physical conditions of the above named "Handicapped Person" constitutes him/her as a handicapped person as defined under the statutory provision Par. 1-159 (Physically Handicapped Person - Every natural person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair.)

[Signature]

(Physician's Signature/Stamp)

4/6/12

(Date)

(Print Physician's Name)

(Address and Telephone Number)

The City of Berwyn



Robert J. Lovero
Mayor

K-6

A Century of Progress with Pride

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

October 15, 2012

MEMO

TO: CITY COUNCIL
FROM: ROBERT J. LOVERO
Liquor Commissioner
RE: NOTIFICATION OF WRITTEN ORDERS ENTERED
AT CONCLUSION OF LIQUOR LICENSE HEARING PROCEEDINGS

Pursuant to the requirements of Section 804.21 (b) (6) of the Berwyn Codified Ordinances, attached you will find a copy of the written order entered in the following liquor license hearing proceeding:

<u>Case #</u>	<u>Licensee</u>	<u>Location</u>
12-L-09	Eliezer Diaz	Ely's Place, 6911 W. Roosevelt Road

RJL:kmc

LIQUOR CONTROL COMMISSION
CITY OF BERWYN, ILLINOIS

LICENSEE: Eliezer Diaz)
1644 S. Elmwood Ave.)
Berwyn, IL 60402)
) **Case No. 12-L-09**
)
LOCATION: Ely's Place)
6911 W. Roosevelt Rd.)
Berwyn, IL 60402)

DECISION & ORDER

A request to continue the hearing of the Respondent, Eliezer Diaz, for the premises of Ely's Place, 6911 W. Roosevelt Road, Berwyn, IL 60402, is hereby denied.

- A) The temporary revocation of the Respondent's liquor license and food license is to stand.
- B) The Respondent is also ordered to disconnect the "Open" sign that is in the front window of the establishment.

THIS ORDER IS FINAL AND APPEALABLE

Dated: October 15, 2012

Enter: Robert J. Lovero
Robert J. Lovero
Liquor Commissioner

THE FAILURE OF THE LICENSEE TO COMPLY WITH THIS MAY SUBJECT THE
LICENSEE TO FURTHER PROCEEDINGS AND PENALTIES.