

THOMAS G. SHAUGHNESSY
MAYOR

MICHAEL J. WOODWARD
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
DECEMBER 28, 2004

- 1) The regular meeting of the Berwyn City Council was called to order at 8:00 p.m. with Mayor Shaughnessy presiding. Upon the call of the roll, the following members responded present: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Absent: none. Thereafter, the meeting was duly convened for further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the passing of Linda Zaccagnini, the grandmother of Paul Nosek and for the victims of the Tsunami in Southeast Asia.
- 3) The Open Forum was announced. There being no speakers, the Open Forum was closed.
- 4) The minutes of the Berwyn City Council meeting held on December 14, 2004, were submitted. City Clerk Woodward stated that item #2 has been changed to reflect the status of Joseph Sisco as a U.S. Diplomat and to correct the spelling of his surname. Alderman B. Bojovic stated that his motion for item #13 was to challenge the Mayor's ruling and thus reversing those answering yeas and nays and made a motion, seconded by A. Bojovic, to approve the minutes as amended. The motion carried by voice vote.
- 5) The Mayor submitted a deferred communication for the 2005 PACE Service Provider Agreement by and between Suburban Bus Division of the Regional Transportation Authority (PACE) and the City of Berwyn as service provider. After discussion, Lovero made a motion, seconded by Brocato, to concur, adopt the contract as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Nays: none. Present: Fortunato.
- 6) The Mayor submitted a communication requesting concurrence in a request by the VFW Post to allow certain landscaping and a sign to be installed that would display information. Lovero made a motion, seconded by Brocato, to concur in the recommendation. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 7) The Mayor submitted a communication requesting concurrence for the nomination of Illinois Route 66 as a National Scenic Byway and a Resolution related thereto. Brocato made a motion, seconded by A. Bojovic, to concur, Adopt the Resolution as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 8) A deferred ordinance was submitted by B. Bojovic entitled:

AN ORDINANCE SETTING LIMITATIONS ON PROPERTY TAX EXTENSIONS

Thereafter, Lovero made a motion, seconded by Brocato, to refer the matter to the Budget Committee. The motion carried by voice vote.

Alderman B. Bojovic made a motion, seconded by A. Bojovic, to challenge the ruling. The motion failed by the following roll call: Yeas: A. Bojovic, B. Bojovic. Nays: Chapman, Pechota, Brocato, Fron, Lovero, Fortunato. Thus, the matter was referred to the Budget Committee.

- 9) The Budget Committee submitted a communication recommending that the Finance Director calculate the cost of the increase in Chicago water versus the charge to the homeowner and that the matter would remain in the Budget Committee. Lovero made a motion, seconded by Pechota, to accept the matter as informational. The motion carried by voice vote.
- 10) The Budget Committee submitted a communication recommending that Sunday Library hours would be permitted within the current budget guidelines. Lovero made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by voice vote.
- 11) The Budget Committee submitted a communication recommending that the IMRF retirement incentive program be approved, beginning on April 15, 2005. Thereafter, Lovero made a motion, seconded by Pechota, to amend the starting date to read March 15, 2005, and to concur, adopt the Resolution as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 12) Alderman Fortunato submitted a communication requesting a

handicapped sign for 1216 Ridgeland Avenue, due to a change in the person's condition. Thereafter, Fortunato made a motion, seconded by A. Bojovic, to concur in the recommendation and refer the matter to the Public Works Department to install said sign. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 13) Alderman Lovero submitted the payroll report for December 15, 2004, in the total amount of \$721,489.67. Lovero made a motion, seconded by Chapman, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 14) Alderman Lovero submitted the Payables for December 28, 2004, in the total amount of \$1,026,587.97. Lovero made a motion, seconded by Chapman, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 15) Alderman Chapman submitted a communication informing the council that the Joint Library and Budget Committee did not meet on Tuesday, December 21, 2004, due to a lack of a quorum for the Library Committee. Chapman made a motion, seconded by A. Bojovic, to accept the matter as informational. The motion carried by voice vote.
- 16) Alderman A. Bojovic submitted a communication requesting a tree removal at 3148 Lombard Avenue. A. Bojovic made a motion, seconded by Chapman, to concur in the recommendation and authorize the Department of Public Works to remove said tree. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 17) The Law Department submitted a deferred ordinance entitled:

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN (DEFINITION OF PLANNED DEVELOPMENTS)

After discussion, Lovero made a motion, seconded by Fortunato, to concur, adopt the ordinance as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 18) The Law Department submitted a deferred ordinance entitled:

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN (CREATION OF RETAIL OVERLAY DISTRICT)

Thereafter, Lovero made a motion, seconded by Brocato, to refer the matter to Holland and Knight and to the Committee of the Whole for further discussion and review. The motion carried by voice vote.

- 19) The Law Department submitted a deferred ordinance entitled:

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN (CONDITIONAL USE STANDARDS)

Lovero made a motion, seconded by Chapman, to concur, adopt the ordinance as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 20) The Law Department submitted a deferred ordinance entitled:

AN ORDINANCE TO ALLOW DWELLING UNITS BELOW THE SECOND STORY OF BUILDINGS IN ALL THREE COMMERCIAL DISTRICTS (C-1, C-2, C-3)

Lovero made a motion, seconded by Fortunato, to deny said ordinance. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 21) Paul Nosek, Director of Finance H/R submitted a communication requesting concurrence in the quote provided by the City's liability insurance carrier as described in the Committee of the Whole meeting as (Option A), in the total amount of \$184,168.00. Fortunato made a motion, seconded by Brocato, to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 22) The Law Department submitted a communication requesting a vote which would evidence final action on the proposed Zoning Variation for the Madera property at 3716 Clarence Avenue. Lovero made a

motion, seconded by Brocato, to deny said variance based on discussion at tonight's Committee of the Whole meeting. The motion carried by the following roll call: Yeas: A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: Chapman.

- 23) The Berwyn Development Corporation submitted a communication regarding the Roosevelt Road TIF District, 6317-19 Roosevelt Road, Assignment of TIF liability. Thereafter, Brocato made a motion, seconded by Chapman, to waive the reading and accept the matter as informational. The motion carried by voice vote.
- 24) At this time, the Consent Agenda, item K-1 was submitted.

K-1 Metro Towing Services, \$3,640.00 for November, 2004.

A. Bojovic made a motion, seconded by Fortunato, to accept the matter as informational. The motion carried by voice vote.
- 25) The Mayor called a Committee of the Whole meeting for Tuesday, January 11, 2005, at 7:00 p.m., on referrals.
- 26) There being no further business to come before the meeting, same was, after a motion by Brocato, seconded by Fron, adjourned at the hour of 8:30 p.m., by roll call vote.

Respectfully submitted,

Michael J. Woodward - City Clerk