

**MICHAEL A. O'CONNOR**  
**MAYOR**

**THOMAS J. PAVLIK**  
**CITY CLERK**

**MINUTES**  
**BERWYN CITY COUNCIL**  
**SEPTEMBER 27, 2005**

- 1) The regular meeting of the Berwyn City Council was called to order at 8:00 pm with Mayor O'Connor presiding. Upon the call of the roll, the following members responded present. Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Absent: none. Thereafter, the Mayor declared a quorum present and the meeting duly convened for further business.
- 2) The Pledge of Allegiance was recited and the mayor called for a moment of silence for the victims of Hurricanes Katrina and Rita and in memory of Ralph Naputano, grandfather to City Collector Debi Suchy.
- 3) The Open Forum portion of the meeting was announced. Chapman thanked the Depot District Events Committee, Police, Fire and Public Works Department for their help during the Oktoberfest. The Mayor also thanked Chapman and the Committee for a job well done.
- 4) The minutes of the Berwyn City Council meeting held on September 13, 2005 and the Committee of the Whole minutes from September 13, 2005 were presented. Erickson made a motion, seconded by Phelan to approve the minutes as presented.

A second motion was made by Brocato, seconded by Weiner to reconsider item #16, (diagonal parking at 6701-07 W. 21<sup>st</sup> St.) and refer the matter to the Committee of the Whole.

After discussion, the Mayor declared the second motion to reconsider, took priority and requested a roll call: Yeas: Chapman, Weiner, Brocato, Lovero, O'Connor. Nays: Ramos, Skryd, Phelan, Erickson.

Thereafter, the first motion to approve the minutes carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 5) A deferred Intergovernmental Agreement between the Town of Cicero and the City of Berwyn regarding gang control was submitted by Mayor O'Connor. After discussion, Lovero made a motion, seconded by Chapman to refer the matter to the Committee of the Whole. The motion carried by voice vote.

- 6) Lovero made a motion, seconded by Chapman, to suspend the rules and bring forth E-10 and E-11. The motion carried by voice vote.

The Mayor submitted a Proclamation expressing gratitude from the City and Council members to the Berwyn Fire Department and the numerous volunteers who helped in the aftermath of Hurricane Katrina in Louisiana. Brocato made a motion, which was unanimously seconded to concur and adopt the Proclamation as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by voice vote. After reading the Proclamation, a slide presentation was given by Deputy Fire Chief Denis O'Halloran and Firefighter John Diebold.

- 7) The Mayor submitted a Proclamation proclaiming Sunday, October 2, 2005 as Strides for Stripes Day in Berwyn. Chapman made a motion, seconded by Skryd to concur and adopt the Proclamation as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by voice vote.

- 8) Chapman made a motion, seconded by Brocato to suspend the rules and bring forth J-1, a deferred communication from the Berwyn Development Corporation. The motion carried by voice vote.

A deferred communication was submitted by the Berwyn Development Corporation requesting Roosevelt Road TIF funds for Buona Beef Restaurant located at 6745 Roosevelt Road. After discussion, Lovero made a motion, seconded by Brocato, to concur in the recommendation and approve for payment as amended, and not to exceed \$49,551.00. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Brocato, Lovero. Nays: Ramos, Phelan, Erickson.

- 9) The Mayor submitted a communication regarding a seminar for City employees on harassment and discrimination prevention. Chapman made a motion, seconded by Brocato to accept the matter as informational. The motion carried by voice vote.

- 10) The Mayor submitted a communication requesting that postal employees be allowed to park on Vacin Fairway 6:00 am to 6:00 pm. Monday through Saturday. After discussion, Skryd made a motion, seconded by Ramos to defer the matter. The motion carried by voice vote.

- 11) The Mayor submitted a communication reappointing John Valtierra to the position of Director of Neighborhood Affairs. Chapman made a

- motion, seconded by Skryd, to accept the matter as informational. The motion carried by voice vote.
- 12) The Mayor submitted a communication regarding an Intergovernmental Agreement between the City of Berwyn and the Township of Berwyn with A.W.E.S.O.M.E. Pest Service. After discussion, Lovero made a motion, seconded by Weiner to concur, adopt the agreement as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
  - 13) The Mayor submitted a communication requesting the deletion of certain items from the Committee of the Whole Referral List, as they have been addressed, and to refer item #34 dated August 9, 2005 (Landscape Ordinance) to the Building, Zoning and Planning Committee. Weiner made a motion, seconded by Chapman to concur in the recommendation as presented. The motion carried by voice vote.
  - 14) The Mayor submitted a communication regarding Metro Revenue Associates. Weiner made a motion, seconded by Chapman to waive the reading and refer the matter to the Committee of the Whole. The motion carried by voice vote.
  - 15) The Mayor submitted a communication regarding the current ordinance that defines "Entertainment" in Liquor Classes B, C and D. Lovero made a motion, seconded by Weiner to waive the reading and refer the matter to the Law Department for the drafting of a proper ordinance. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Chapman, Erickson.
  - 16) The Mayor submitted a communication regarding a request from St. Leonard's Church to waive the building permit fees to repair their Church parking lots. After discussion, Brocato made a motion, seconded by Chapman to waive the reading and concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
  - 17) The City Clerk submitted a Resolution to enroll Treasurer Gary Pater as a member of the Illinois Municipal Retirement Fund, effective May 11, 2005. Chapman made a motion, seconded by Lovero to concur and adopt the Resolution as presented. The motion carried by voice vote.

- 18) The City Clerk submitted a communication stating that bids will be opened at the City Council meeting scheduled for October 11, 2005 at 8:00 p.m. for the re-surfacing of Oak Park Avenue from Pershing Road to Ogden Avenue. Brocato made a motion, seconded by Lovero to accept the matter as informational. The motion carried by voice vote.
- 19) A deferred communication was submitted by Phelan regarding parking problems on the 1600 block of Wesley Avenue. Phelan made a motion, seconded by Brocato to defer the matter. The motion carried by voice vote.
- 20) The Ordinance and Resolution Committee submitted a communication requesting the deletion of item #32 dated June 14, 2005 (Condo Conversion at 3839-45 Wenonah) from the referral list. Chapman made a motion, seconded by Lovero to concur in the recommendation as presented. The motion carried by voice vote.
- 21) The Ordinance and Resolution Committee submitted a communication requesting the deletion of item #14 dated June 14, 2005 (Adjudication of overdue water bills) from the referral list. Lovero made a motion, seconded by Chapman to concur in the recommendation as presented. The motion carried by voice vote.
- 22) The Ordinance and Resolution Committee submitted a communication recommending that an amendment to the Building and Housing Code, Section 1490.11(a) (garbage and refuse) be left in committee for further study of the Waste Management Contract. Lovero made a motion, seconded by Chapman to accept the matter as informational. The motion carried by voice vote.
- 23) The Ordinance and Resolution Committee submitted a communication recommending that the handicapped curb cutout costs for Morton West High School be referred to the Public Works Committee as previously requested. After discussion, Lovero made a motion, seconded by Chapman to refer the matter to the Public Works Committee. The motion carried by voice vote.
- 24) Alderman Erickson submitted a communication regarding the need for a cul de sac at Wisconsin Avenue and the alley parallel to Roosevelt Road to the south. After discussion, Erickson made a motion, seconded by Ramos to waive the reading and refer the matter to the Public Works Department for review and a cost estimate. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero, Erickson. Nays: Brocato.

- 25) Alderman Erickson submitted a communication regarding diagonal parking along the Roosevelt Road Corridor. After discussion, Erickson made a motion, seconded by Chapman to waive the reading and refer the matter to the Public Works Department for a cost estimate. The motion carried by voice vote.
- 26) Alderman Erickson submitted a communication requesting that "speed bumps" be installed along the alley from Harlem Avenue to Ridgeland Avenue in the eighth ward. After discussion, Erickson made a motion, seconded by Chapman to refer the matter to the Public Works Department for a cost estimate of "speed bumps". The motion carried by voice vote.
- 27) Alderman Erickson submitted a communication requesting a stop sign at the intersection of 13<sup>th</sup> Street and Wesley Avenue. Erickson made a motion, seconded by Chapman to waive the reading and refer the matter to the Public Works Department for the installation of said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 28) Alderman Erickson submitted a communication regarding the relentless enforcement of Berwyn's parking laws. After discussion, Erickson made a motion, seconded by Phelan to refer the matter to the joint Administration and Budget Committee for further study. The motion carried by voice vote.
- 29) The Budget Committee submitted a communication regarding Aldermen gas keys, recommending that this item be removed from the referral list. After discussion, Chapman made a motion, seconded by Erickson to concur and to refer the matter to the Administration Committee. The motion carried by voice vote.
- 30) The Budget Committee submitted a communication regarding the hiring of a Bus Scheduler with a recommendation that the City post the job opening and use line item #11-5-11-5106. Chapman made a motion, seconded by Skryd to concur in the recommendation. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 31) The Budget Committee submitted a communication regarding Computer Server/PC Maintenance. After discussion, Chapman made a motion, seconded by Skryd to defer the matter. The motion carried by voice vote.
- 32) The Budget Committee submitted a communication regarding leasing vs. purchasing vans to transport Senior Citizens with the

recommendation that the city lease one van with a lift and one without a lift on a trial basis for one year. After discussion, Chapman made a motion, seconded by Erickson to concur in the recommendation and to refer the matter of insurance to the Committee of the Whole for further discussion. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 33) Alderman Weiner submitted a communication requesting a stop sign at the intersection of Clarence Avenue and 27<sup>th</sup> Street. After discussion, Weiner made a motion, seconded by Ramos to concur in the recommendation and refer the matter to the Public Works Department for installation of said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 34) Alderman Weiner submitted a communication requesting a stop sign at the intersection of 29<sup>th</sup> Street and Home Avenue. After discussion, Weiner made a motion, seconded by Chapman to concur in the recommendation and refer the matter to the Public Works Department for installation of said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 35) Alderman Chapman submitted the payroll report for September 21, 2005, in the total amount of \$731,429.10. Thereafter, Chapman made a motion, seconded by Skryd, to concur in the recommendation as presented and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 36) Alderman Chapman submitted the payables for September 27, 2005, in the total amended amount of \$1,081,971.16. Chapman made a motion, seconded by Skryd to concur in the recommendation as presented and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 37) Alderman Phelan submitted a communication regarding a graffiti ordinance. After discussion, Phelan made a motion, seconded by Chapman to refer the matter to the Ordinance and Resolution Committee. The motion carried by voice vote.
- 38) Alderman Phelan submitted a communication regarding 30 minute parking for Panelli's Restaurant located at 1547 Oak Park Avenue. After discussion, Phelan made a motion, seconded by Lovero to concur

- in the recommendation as presented and refer the matter to the Public Works Department for installation of said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 39) The Berwyn Police Department submitted a communication regarding a "Carnival" ordinance. After discussion, Chapman made a motion, seconded by Skryd to defer the matter. The motion carried by voice vote.
  - 40) The Berwyn Police Department submitted a communication regarding job responsibilities of a records unit supervisor. After discussion, Skryd made a motion, seconded by Chapman to accept the matter as informational. After further discussion, Chapman made a motion, seconded by Weiner to accept the matter as informational and refer the matter to the Committee of the Whole for further discussion. The motion carried by voice vote.
  - 41) The Assistant Finance Director submitted a communication and three quotes on physical damage insurance for vehicles. After discussion, Chapman made a motion, seconded by Brocato to refer the matter to the Committee of the Whole. The motion carried by voice vote.
  - 42) The Building Director submitted a communication regarding penalties to contractors for working without permits. After discussion, Chapman made a motion, seconded by Phelan to refer the matter to the Building, Zoning and Planning Committee. The motion carried by voice vote.
  - 43) The Building Director submitted a communication regarding the Library Lighting Retrofit Project. Chapman made a motion, seconded by Lovero to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
  - 44) The Public Works Department submitted a communication requesting permission to purchase a new 2006 Case 721D End Loader. Chapman made a motion, seconded by Lovero to refer the matter to the Budget Committee. The motion carried by voice vote.
  - 45) The Water Department submitted a communication requesting an amendment to street, utilities and public service codes. After discussion, Lovero made a motion, seconded by Brocato to refer the matter to the Ordinance and Resolution Committee. The motion carried by voice vote.

- 46) The Berwyn Police Department submitted a request for a handicapped sign for James Rak, Jr., 1906 Wisconsin Avenue. Lovero made a motion, seconded by Weiner to concur in the recommendation of the investigating officer and authorize the Public Works Department to install said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 47) The Berwyn Police Department submitted a request for a handicapped sign for Sabrina Jefferies, 1314 Scoville Avenue. Erickson made a motion, seconded by Brocato, to concur in the recommendation of the investigating officer and deny said sign. The motion carried by voice vote.
- 48) The Berwyn Police Department submitted a request for a handicapped sign for Marie Smelhaus, 6447 Cermak Road. Phelan made a motion, seconded by Chapman to concur in the recommendation of the investigating officer and deny said sign. The motion carried by voice vote.
- 49) Frank Novotny and Associates submitted a communication regarding Engineer's Payment Estimate No. 3 for the 2005 C.D.B.G. Alley Improvements in the amount of \$90,841.27 to G & M Cement Construction Inc. Brocato made a motion, seconded by Skryd to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 50) Frank Novotny and Associates submitted a communication regarding Engineer's Payment Estimate No. 2 for South Berwyn TIF Lighting Improvements in the amount of \$122,297.06 to J.F. Edwards Construction Company. Brocato made a motion, seconded by Skryd to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 51) The Berwyn Development Corporation submitted a communication regarding TIF Berwyn Banners. After discussion, Chapman made a motion, seconded by Phelan to deny the request as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Brocato, Phelan, Lovero, Erickson. Nays: Weiner, Skryd.
- 52) At this time, the Consent Agenda, items K-1 and K-2 were submitted.

K-1 St. Odilo Oktoberfest on Saturday, October 8, 2005  
K-2 Building Permits issued during August, 2005

Brocato made a motion, seconded by Chapman to concur, grant permission contingent upon compliance with all City ordinances and accept as informational. The motion carried by voice vote.

- 53) The Mayor called a Special Council Meeting for Saturday, October 1, 2005 at 7:00 a.m. for the Voight property and called a Committee of the Whole meeting for Tuesday, October 11, 2005 at 6:00 p.m. on referrals.
- 54) Alderman Lovero called an Ordinance and Resolution Committee meeting for Wednesday, October 5, 2005 at 6:30 p.m. on referrals.
- 55) There being no further business to come before the meeting, same was, after a motion by Brocato, seconded by Phelan adjourned at the hour of 10:10 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk