

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
NOVEMBER 8, 2005

- 1) The regular meeting of the Berwyn City Council was called to order at 8:35 p.m. 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 father business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the men and women serving overseas. Thereafter, the Mayor submitted a Proclamation honoring American Veterans during the National Veteran's Awareness Week. Brocato made a motion, seconded by Weiner to concur and adopt the Proclamation as presented. The motion carried by voice vote.
- 3) Alderman Chapman made a motion, seconded by Ramos to suspend the rules and bring forth item I-3. The motion carried by voice vote. Detective Joseph Santangelo submitted a communication regarding the promotion of Eddie Rodriguez to the position of Explorer Post Commander. Thereafter, the Mayor read a Proclamation honoring the promotion. Chapman made a motion, seconded by Brocato to concur and adopt the Proclamation as presented. The motion carried by voice vote.
- 4) The minutes of the Berwyn City Council meeting held on October 25, 2005, October 11th, 2005 as amended, and the Committee of the Whole minutes held on October 11th, October 18th, October 25th, and November 1, 2005, were submitted. Lovero made a motion, seconded by Erickson to approve all the minutes as submitted including October 11th, 2005 as amended. The motion carried by voice vote.
- 5) Alderman Chapman made a motion, seconded by Lovero to suspend the rules and bring forth items J-1 through J-4. The motion carried by voice vote. The Berwyn Development submitted the following documents pertaining to the Sedgwick Property Redevelopment Project.

1. REDEVELOPMENT AGREEMENT: BETWEEN SEDGWICK AND THE CITY OF BERWYN

- 2. AN ORDINANCE AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT**
- 3. PURCHASE AND LEASE AGREEMENT BETWEEN THE CITY OF BERWYN, HARRIS N.A. AND SEDGWICK PROPERTIES DEV. CORP**
- 4. AN ORDINANCE AUTHORIZING THE EXECUTION OF A PURCHASE AND LEASE AGREEMENT WITH HARRIS N.A. AND SEDGWICK PROPERTIES DEV. CORP.**
- 5. AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROMISSORY NOTE IN FAVOR OF THE BERWYN DEVELOPMENT CORP. RELATING TO THE S. BERWYN CORRIDOR TIF**

After discussion, Lovero made a motion, seconded by Brocato, to concur and adopt all Agreements and Ordinances as presented and authorize the appropriate 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.

- 6) The Berwyn Development Corporation submitted a communication regarding the installation of Berwyn Banners throughout the City of Berwyn. Chapman made a motion, seconded by Lovero to refer the matter to the Committee of the Whole. The motion carried by voice vote.
- 7) The Berwyn Development Corporation submitted a communication regarding Dan's Bike Shop, 6715-17 W. Roosevelt Road. Chapman made a motion, seconded by Lovero, to waive the reading and accept the matter as informational. The motion carried by voice vote.
- 8) The Berwyn Development Corporation submitted a communication regarding the repairs to the Ogden Avenue Route 66 monuments. After discussion, Chapman made a motion, seconded by Lovero to concur and approve the project cost in an amount not to exceed \$40,000.00. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 9) The Open Forum portion of the meeting was announced. Wayne Parthun, 3606 Clarence Avenue of the Combined Veterans invited all to attend the Veteran's Day events planned throughout the City. There being no further speakers, the Open Forum was closed.

- 10) Alderman Erickson made a motion, seconded by Phelan to suspend the rules and bring forth item H-16. The motion carried by voice vote. A communication was submitted by Erickson regarding "Take Back Our Streets Agenda" Phase One. Thereafter Erickson made a motion, seconded by Phelan to waive the reading. The motion carried by voice vote.

Erickson then made a motion, seconded by Ramos to amend item #5 on its face and refer items number one and five to the Joint Administration and Budget Committee meetings. After discussion, the motion was withdrawn and Chapman made a motion, seconded by Phelan to defer and refer the matter to the Joint Administration, Budget and Committee of the Whole. The motion carried by voice vote.

- 11) The Mayor submitted a communication commending (4) Berwyn Police Officers (Officer Henry Feret, Commander Frank Cimaglia, and Sergeant Gerald Conoboy as the recipients of the Cook County Sheriff's Law Enforcement Award of Merit and Donald Garrity for receiving the 2005 True Blue Award). Thereafter, Erickson made a motion, seconded by Chapman to accept the matter as informational and extend congratulations to all. The motion carried by voice vote.
- 12) The Mayor submitted a communication and Ordinance from the Law Department entitled:

NOTE ORDER PURSUANT TO ORDINANCE NO. 05-39 PROVIDING FOR THE ISSUANCE OF \$8,800,000 GENERAL OBLIGATION NOTES, SERIES 2005 OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Chapman made a motion, seconded by Lovero to suspend the rules and bring forth item #H-7, a germane communication. The motion carried by voice vote.

Thereafter, Chapman made a motion, seconded by Weiner, 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, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 13) The Law Department submitted a Resolution entitled:

A RESOLUTION AUTHORIZING INTERVENTION IN PROCEEDINGS BEFORE THE STATE PROPERTY TAX APPEALS BOARD

Lovero made a motion, seconded by Weiner 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, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 14) The Mayor submitted a Proclamation proclaiming November as United Way month in the City of Berwyn. Lovero made a motion, seconded by Brocato to adopt the Proclamation as presented. The motion carried by voice vote.
- 15) The Mayor submitted a Proclamation honoring Robert John Bosanac for achieving the rank of Eagle Scout. Lovero made a motion, seconded by Ramos, to concur and adopt the Proclamation as presented. The motion carried by voice vote.
- 16) The Mayor submitted a Proclamation honoring the Chicago White Sox Baseball Team for winning the 2005 Major League Championship Series. Weiner made a motion, seconded by Ramos to concur and adopt the Proclamation as presented. The motion carried by voice vote.
- 17) The Mayor submitted a communication from the Public Works Department requesting the purchase of a new end loader truck. After discussion, Chapman made a motion, seconded by Weiner to waive the bid process, concur in the recommendation of the Public Works Department and authorize the lease/purchase agreement, option I. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.
- 18) The Mayor submitted a communication regarding the Municipal Gas Tax. Chapman made a motion, seconded by Weiner to refer the matter to the Budget Committee. The motion carried by voice vote.
- 19) The Mayor submitted a communication recommending a decrease in the number of Liquor Licenses in the A-2 Classification (Packaged Goods) from five to four. Chapman made a motion, seconded by Phelan to defer the matter. The motion carried by voice vote.
- 20) The Mayor submitted a communication summarizing the payouts from the CDBG funds to the City's General Fund. Brocato made a motion,

seconded by Weiner, to accept the matter as informational. The motion carried by voice vote.

- 21) The Mayor submitted a communication stating all gas keys from department heads that do not drive City vehicles have been turned in with the exception of the Community Development Department under the direction of Denis Duffy. After discussion, Chapman made a motion, seconded by Ramos to accept the matter as informational. The motion carried by voice vote.
- 22) The Mayor submitted a communication and flier regarding a Senior Citizen winter vehicle safety check to be held on Saturday, November 12, 2005 at the Public Works Garage. Lovero made a motion, seconded by Brocato to accept the matter as informational. The motion carried by voice vote.
- 23) The Mayor submitted a communication requesting the hiring of a Finance Director. After discussion, Chapman made a motion, seconded by Brocato to refer the matter to the Budget Committee. The motion carried by voice vote.
- 24) The Mayor submitted a communication regarding maintenance of shrubbery along the CNN Railroad. After discussion, Chapman made a motion, seconded by Lovero to concur in the recommendation and to refer the matter to the Public Works Department. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 25) The Mayor submitted a communication expressing the City's Appreciation to the Berwyn Park District, the North Berwyn Park District and the Berwyn Recreation Department for the Halloween programs held in Berwyn. Brocato made a motion, seconded by Phelan to accept the matter as informational. The motion carried by voice vote.
- 26) The Mayor submitted a communication regarding an Intergovernmental Agreement involving the North Berwyn Park District and the 16th Street Community Center. Lovero made a motion, seconded by Chapman to refer the matter to the Committee of the Whole. The motion carried by voice vote.
- 27) The Mayor submitted a communication regarding the Pav YMCA request to use the parking lot at the Public Works location for their members. Lovero made a motion, seconded by Weiner to refer the matter to the Committee of the Whole. The motion carried by voice vote.

- 28) The Mayor submitted a communication regarding Fernando's Hair Salon located at 6506 Cermak Road, and the relocating of the business to 7038 Cermak Road. After discussion, Lovero made a motion, seconded by Lovero to accept the matter as informational. The motion carried by voice vote.
- 29) The Mayor submitted a communication regarding overnight parking. After discussion, Erickson made a motion, seconded by Phelan to refer the matter to the Budget, Administration Committees and the Committee of the Whole. The motion carried by voice vote.
- 30) The Mayor submitted a communication regarding participation in the "America Recycles Day" on Saturday, November 19, 2005 at Triton College. After discussion, Lovero made a motion, seconded by Brocato, to concur and approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 31) The Mayor submitted a communication regarding proposed agreements by the Illinois Environmental Protection Agency for 6333 Ogden and 6229 Ogden Avenue. After discussion, Lovero made a motion, seconded by Ramos to refer the matter to the Law Department. The motion carried by voice vote.
- 32) The Mayor submitted an "Anticipated Expense Report" for 2005. Chapman made a motion, seconded by Skryd to refer the matter to the Budget Committee. The motion carried by voice vote.
- 33) The Law Department submitted an ordinance entitled:

AN ORDINANCE REVISING CLASSIFICATION OF LICENSES FOR LIQUOR ESTABLISHMENTS AND AMENDING SECTION 804.06 OF THE CODE OF ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Lovero made a motion, seconded by Brocato 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, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Erickson.

- 34) Chapman made a motion, seconded by Ramos to withdraw item # E-24 from the agenda. The motion carried by voice vote.

- 35) The Zoning Board of Appeals submitted a Resolution and Ordinance regarding a variance for by Dewey Atkins, 3625 Wesley Avenue. Chapman made a motion, seconded by Lovero to defer the matter. The motion carried by voice vote.
- 36) The Zoning Board of Appeals submitted a Resolution and Ordinance regarding a variance for Armando & Armando Builders and Martin Pena, 1324 Highland. Brocato made a motion, seconded by Lovero to concur, adopt the Resolution and Ordinance as presented and authorize the appropriate 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.
- 37) Alderman Lovero submitted a communication regarding insurance brokers. Lovero made a motion, seconded by Chapman to bring forth item I-4, a germane communication from the Director of Human Resource regarding insurance bids. The motion carried by voice vote.

Thereafter, Lovero made a motion, seconded by Brocato requesting that a verification letter be returned to the broker and refer the matter to the Committee of the Whole with no further authorization to release information until the matter is decided by the Committee. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 38) Alderman Lovero submitted a communication regarding parking problems in the areas around Morton West High School. Lovero made a motion, seconded by Phelan to refer the matter to the Police Department for a study. The motion carried by voice vote.
- 39) Alderman Lovero submitted a communication requesting alley lights for the 7000 block of Riverside Drive and a "No Dumping - \$750.00 Fine" sign to be installed. Lovero made a motion, seconded by Chapman to concur in the recommendation and refer the matter to the Public Works Department. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero Erickson. Nays: none.
- 40) The Budget Committee submitted the payroll report for November 2, 2005, in the total amount of \$684,162.93. Chapman made a motion, seconded by Weiner 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.

- 41) The Budget Committee submitted the payables for November 8, 2005 in the total amount of \$229,854.69. Chapman made a motion, seconded by Ramos 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.
- 42) The Budget Committee submitted a communication regarding Administration Processes and Controls. Chapman made a motion, seconded by Lovero 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.
- 43) The Budget Committee submitted a communication regarding the 2006 Budget and Appropriations with recommendations to reduce the Budget by 10%. Chapman made a motion, seconded by Lovero to refer the matter to the Mayor and Finance Department. The motion carried by voice vote.
- 44) The Budget Committee submitted a communication regarding Police Department related funds and how they are being used including 911 and drug forfeiture. After discussion, Chapman made a motion, seconded by Lovero to accept the matter as informational and requested the Police Department to attend the Budget Committee meeting. The motion carried by voice vote.
- 45) The Budget Committee submitted a communication regarding a new end loader. The matter was declared moot by Order of the Chair.
- 46) The Building, Planning and Zoning Committee submitted a communication recommending the contract for cleaning services for City buildings be awarded to Crystal Maintenance Services, the lowest bidder in the amount of \$4,380.00 per month. After discussion, Skryd made a motion, seconded by Chapman, to concur in the recommendation and refer the matter to the Mayor for implementation. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan. Nays: Lovero, Erickson.
- 47) The Building, Planning and Zoning Committee submitted a communication regarding the fee schedule for the Zoning Board of Appeals. Skryd made a motion, seconded by Chapman to refer the matter to the Clerk's office to schedule a Public Hearing. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero, Erickson. Nays: Brocato.

- 48) Alderman Weiner submitted a communication regarding a stop sign on 32nd and Maple. Thereafter, Weiner made a motion, seconded by Ramos to withdraw the communication. The motion carried by voice vote.
- 49) Alderman Weiner submitted a communication to delete item #57, dated June 28, 2005 from the Fire and Police Committee referral list. Weiner made a motion, seconded by Chapman to accept the matter as informational. The motion carried by voice vote.
- 50) Alderman Erickson submitted a communication regarding fair, honest, open, and creative government requiring 14-day notice before a tree is cut down. After discussion, Erickson made a motion, seconded by Phelan to concur in the recommendation and refer the matter to the Public Works Department. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Brocato, Phelan, Lovero Erickson. Nays: Weiner.
- 51) A deferred communication was submitted by the Berwyn Police Department regarding a handicapped sign for Christopher Ortiz, 3715 Clinton Avenue. Chapman made a motion, seconded by Lovero to defer the matter. The motion carried by voice vote.
- 52) A deferred communication was submitted by the Berwyn Police Department regarding a handicapped sign for Horacio Serrano, 1535 Ridgeland. Brocato made a motion, seconded by Chapman, to overrule 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, Weiner, Skryd, Brocato, Lovero, Erickson. Nays: Ramos, Phelan.
- 53) The Director of Human Resources submitted a communication regarding the City Sexual Harassment Policy. Skryd made a motion, seconded by Weiner, to concur in the recommendation and approve as amended to include a sign off sheet for City employees. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 54) The City Collector submitted a communication requesting Alcohol Dealers be billed on an annual basis. Chapman made a motion, seconded by Weiner to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato. Nays: Phelan, Lovero, Erickson.

- 55) The Building Director submitted a communication regarding circuit breakers. After discussion, Phelan made a motion, seconded by Erickson to refer the matter to the Building, Zoning and Planning Committee. The motion carried by voice vote.
- 56) Thomas O'Halloran, Division Commander of the Berwyn Police Department submitted a communication regarding a grant from the Illinois Law Enforcement Alarm System, Local Law Enforcement Homeland Security Grant Process for the replacement of bullet resistant glass windows. After discussion, Chapman 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.
- 57) City Engineer Novotny & Associates submitted a communication recommending payment of \$97,331.75 to G & M Cement Construction for the 2005 CDBG alley improvements Engineer's Estimate No. 4 & Semi-Final. Brocato made a motion, seconded by Lovero 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.
- 58) City Engineer Novotny & Associates submitted a communication recommending payment of \$45,803.63 to J.F. Edwards Construction Co., for the South Berwyn TIF Lighting Improvements Engineer's Payment Estimate No. 3. Brocato made a motion, seconded by Lovero 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.
- 59) The Outreach Officer submitted a communication regarding the distribution of Snow and Parking Regulation Cards. Chapman made a motion, seconded by Weiner to accept the matter as informational. The motion carried by voice vote.
- 60) The Building Director submitted a communication regarding zoning for condo conversion. Lovero made a motion, seconded by Chapman to refer the matter to the Building, Zoning and Planning Committee. The motion carried by voice vote.
- 61) At this time, the Consent Agenda items K-1 and K-2 were submitted.
 - K-1 Transportation to the MRI Center from MacNeal Hospital in the total amount of \$11,775.00 the months of July, August and the remainder of May, 2005

K-2 Collector-Business licenses issued during October 2005

Phelan made a motion, seconded by Brocato to accept the matter as informational. The motion carried by voice vote.

- 62) The Mayor called a Committee of the Whole meeting for Tuesday, November 15, 2005 at 7:00 p.m. on referrals and also for Tuesday, November 22, 2005 at 7:00 p.m. on referrals.
- 63) Alderman Chapman called a Joint Budget/Administration Committee meeting for Monday, November 14, 2005 at 7:00 p.m. on referrals and also a Budget Committee meeting for Tuesday, November 15, 2005 at 6:00 p.m. on referrals.
- 64) Alderman Lovero called a Resolution/Ordinance Committee meeting for Monday, November 14, 2005 at 6:30 p.m. on referrals.
- 65) The City Council meeting was recessed at 10:40 p.m. in order to resume a closed session of the Committee of the Whole by Order of the Chair, with no objections from the floor, and no action by the City Council taken in the closed Committee of the Whole. There being no further business to come before the meeting, same was, after a motion by Brocato, seconded by Lovero, adjourned at the hour of 11:00 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk