

**MICHAEL A. O'CONNOR  
MAYOR**

**THOMAS J. PAVLIK  
CITY CLERK**

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

- 1) The regular meeting of the Berwyn City Council was called to order at 8:23 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 convened for further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the men and women serving our country overseas and in memory of Virgil Morini, father of Lori DiMenna and Fernando Fernandez, husband of Maria Fernandez.
- 3) The Open Forum portion of the meeting was announced. Esther Erman stated the difficulties because of the power outage on early Christmas morning. Sandra Van Goethem helped to clarify the situation. Patrice Murtha, 1523 Oak Park questioned the time frame for the redevelopment of Roosevelt Road.
- 4) The minutes of the Berwyn City Council meeting held on December 13, 2005. Chapman made a motion, seconded by Ramos, to approve as submitted and place same on file. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 5) Chapman made a motion, seconded by Skryd to suspend the rules and bring forth item F-1. The motion carried by voice vote.

The Clerk submitted a communication regarding the presentation of awards to Renee Lynch, Isabel Gonzalez, Nora Mastny and Edward Mastny, recipients of the Dollars for Scholars Scholarships at which time the Mayor and Council congratulated the students.

Thereafter, Chapman made a motion, seconded by Lovero to concur, approve and place same on file with a big thank you to all who participated. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 6) Chapman made a motion, seconded by Skryd to suspend the rules and bring forth H-17. The motion carried by voice vote.

The Mayor submitted the Police Department (IMPA) Contract. Chapman made a motion, seconded by Erickson to excuse Alderman Skryd from voting. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Skryd.

Alderman Skryd briefly stated why she would not be voting but if she did vote, it would be in favor of the contract for the record.

Weiner made a motion, seconded by Lovero to waive all committee rules pertaining to bringing this item to the council floor. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Phelan, Lovero. Nays: Erickson. Excused: Skryd.

Thereafter, Weiner made a motion, seconded by Lovero to concur and adopt the Police Department Contract as presented. After discussion, the Motion was defeated by the following roll call: Yeas: Weiner, Brocato, Lovero. Nays: Chapman, Ramos, Phelan, Erickson. Excused: Skryd.

- 7) Alderman Erickson made a motion to bring forth items H-9, H-10 and H-11. The motion failed for lack of a second.

Thereafter, a communication was submitted by the Mayor regarding Vacin Fairway Parking Fees. After discussion, Chapman made a motion, seconded by Skryd to concur in the recommendation and refer the matter to the Ordinance and Resolution Committee. The motion carried by voice vote.

- 8) Alderman Erickson made a motion, seconded by Phelan to suspend the rules and bring forth items H-9, H-10 and H-11 and to act on H-9 only. The motion carried by voice vote.

Alderman Erickson submitted an Ordinance entitled:

### **ETHICS PROVISIONS – CHAPTER 209**

After reading of the entire communication and discussion, Erickson made a motion, seconded by Chapman, to concur, adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Phelan, Lovero, Erickson. Nays: Weiner, Skryd, Brocato.

- 9) Alderman Erickson made a motion, seconded by Chapman to withdrawn item H-10. The motion carried by voice vote.

- 10) Alderman Erickson submitted a communication regarding an expense reimbursement grace period. Erickson made a motion, seconded by Phelan, to concur in the recommendation as amended to read February 1, 2006 and place same on file. The motion carried by the following roll call: Yeas: Chapman, Ramos, Phelan, Lovero, Erickson. Nays: Weiner, Skryd, Brocato.
- 11) The Mayor submitted a communication regarding a pay scale for Auxiliary Police. Chapman made a motion, seconded by Weiner to refer the matter to the Budget Committee. The motion carried by voice vote.
- 12) The Mayor submitted a communication regarding settlements for pending litigation cases. Lovero made a motion, seconded by Chapman to concur in the recommendation to approve for payment, case #04WC59982 in the amount of \$37,431.96 and case #04L000342 in the amount of \$75,000.00. 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 certain items be deleted from the Committee of the Whole referral list as the items have been addressed, completed or referred to other committees. Chapman made a motion, seconded by Weiner to concur in the recommendation as presented. The motion carried by voice vote.
- 14) The Mayor submitted a communication regarding Aldermanic Expense Accounts. After discussion, Chapman made a motion, seconded by Skryd to accept the communication as informational. The motion carried by voice vote.
- 15) The Mayor submitted a communication regarding Water Adjudication. After discussion, Brocato made a motion, seconded by Skryd to accept the matter as informational. The motion carried by voice vote.
- 16) The Mayor submitted an ordinance entitled:

**AN ORDINANCE TO RESTRICT THE NUMBER OF LIQUOR LICENCES AND AMENDING SECTION 804.07 OF THE CODE OF ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

After discussion, Chapman made a motion, seconded by Phelan to concur, adopt the ordinance 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.

- 17) The Mayor submitted a communication regarding Building Department Compliance Inspection Fees. After discussion, Skryd made a motion, seconded by Phelan to refer the matter to the Building, Zoning and Planning Committee. The motion carried by voice vote.
- 18) The Mayor submitted a communication regarding the traffic way on Euclid Avenue and Roosevelt Road. After discussion, Erickson made a motion, seconded by Ramos, to defer the matter. The motion carried by voice vote.
- 19) Treasurer Pater submitted a communication regarding the hiring of a new auditing firm (Sikich, Garner and Co., LLP) for the 2004 audit. Chapman made a motion, seconded by Lovero to waive the reading. The motion carried by voice vote. Thereafter, 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, Phelan, Lovero, Erickson. Nays: none.
- 20) City Clerk Pavlik submitted a copy of the 2005 Tax Levy Ordinance as submitted to the Cook County Clerk's office. After discussion, Chapman made a motion, seconded by Ramos to accept the matter as informational. The motion carried by voice vote.
- 21) By Order of the Chair, items H-1, 3, 4, 5, 6, 7 and H-8, were brought forward with a request that they be referred to the Law Department for review. Weiner made a motion, seconded by Lovero to refer said items to the Law Department. The motion carried by voice vote.
- 22) Alderman Erickson submitted a communication regarding the Havlicek School bus lane. Thereafter, Chapman made a motion, seconded by Phelan to accept the matter as informational. The motion carried by voice vote.
- 23) The Budget Committee submitted the payroll report for December 14, 2005 in the total amount of \$878,491.16. 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.
- 24) The Budget Committee submitted the payables report for December 27, 2005 in the total amount of \$1,369,576.06. Chapman made a motion, seconded by Phelan 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.

- 25) Alderman Weiner submitted a communication regarding traffic and a one-way street on 27<sup>th</sup> Street. Weiner made a motion, seconded by Skryd, to waive the reading, concur in the recommendation as presented and refer the matter to the Public Works for implementation. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 26) Alderman Brocato submitted a communication requesting a tree be removed from the parkway located at 1321 Cuyler Avenue. Thereafter, Brocato made a motion, seconded by Skryd to concur in the recommendation as presented and refer the matter to the Public Works Department for removal. The motion carried by voice vote.
- 27) Alderman Brocato submitted a communication requesting the waiver of permit fees for construction at the Ebenezer Church located on Harvey Avenue and 13<sup>th</sup> Street. After discussion, Brocato made a motion, seconded by Skryd to concur in the recommendation as amended to waive building permit fees but not to waive inspection or architectural fees. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 28) The Mayor submitted an oral communication pertaining to the Police Department (IMPA) contract, item H-17. Thereafter, the Mayor motioned for approval to sign a letter of intent for mediation of the contract. The motion carried by voice vote.
- 29) A deferred communication was submitted by the Human Resource Director regarding comparable salary ranges for a Finance Director and Police Chief. After discussion, Chapman made a motion, seconded by Ramos to waive the reading and refer the matter to the Budget Committee. The motion carried by voice vote.
- 30) A deferred communication was submitted by the Berwyn Police Department for a handicapped sign for Caroline Long, 1315 Home Avenue. Erickson 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.
- 31) A deferred communication was submitted by the Berwyn Police Department for a handicapped sign for Daniel Sehr, 2222 Clinton Avenue. Lovero made a motion, seconded by Phelan, to concur in recommendation of the investigating officer and deny said sign. The motion carried by voice vote.

- 32) The Director of Human Resource submitted a communication regarding the replacement of a blight inspector for the CDBG program. After discussion, Chapman made a motion, seconded by Weiner to defer and refer the matter to the CDBG Director, Denis Duffy. The motion carried by voice vote.
- 33) The Director of Human Resource submitted a communication regarding the promotion of Cynthia Montavan with an increase of \$1.25 per hour. After discussion, Lovero made a motion, seconded by Brocato 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.
- 34) Assistant Finance Director, Sharon Weilmuenster submitted a communication regarding property and general liability insurance. After discussion, Chapman made a motion, seconded by Weiner to refer the matter to the Committee of the Whole. The motion carried by voice vote.
- 35) The Law Department submitted a Resolution regarding the censure of Alderman Erickson. 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.
- 36) The Berwyn Police Department submitted a request for a handicapped sign for Judith Pavcik, 3519 Wisconsin Avenue. Chapman made a motion, seconded by Brocato 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.
- 37) The Mayor announced a Committee of the Whole meeting for Tuesday, January 3, 2006 at 7:00 p.m. on referrals and also on Tuesday, January 10, 2006 at 7:00 p.m on referrals.
- 38) Alderman Skryd announced a Building, Zoning and Planning Committee meeting for Wednesday, January 11, 2006 at 7:00 p.m. on referrals.
- 39) Alderman Chapman announced a Budget Committee meeting for Wednesday, January 4, 2006 at 7:00 p.m. on referrals.
- 40) There being no further business to come before the meeting, same was, after a motion by Skryd, seconded by Phelan adjourned at the hour of 10:04 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk