

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
JUNE 14, 2005

- 1) The regular meeting of the Berwyn City Council was called to order at 8:10 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 further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the betterment of the community and for those who lost their lives serving our country and for the POW's and MIA's who have not returned.
- 3) The Open Forum portion of the meeting was announced. Senator Martin Sandoval congratulated Mayor O'Connor and all elected officials and pledged his support to the administration and looked forward to working with them.
- 4) The minutes of the Berwyn City Council meeting held on May 24, 2005, were submitted. Brocato made a motion, seconded by Lovero, to accept the minutes as presented and place same on file. The motion carried by voice vote.
- 5) The Mayor requested that item H-18, the appointment of Probationary Firefighter Robert Pilch be brought forward and the City Clerk administered the Oath of Office.
- 6) The Mayor submitted a Resolution granting permission for Morton High School's annual Homecoming Parade on Saturday, October 1, 2005, beginning at 10:00 a.m. Brocato made a motion, seconded by Skryd, to concur and adopt the Resolution as presented. The motion carried by voice vote.
- 7) The Mayor submitted a communication announcing that newly elected 4th Ward Alderman Michele Skryd has resigned her membership to the Zoning Board of Appeals, effective immediately. Chapman made a motion, which was unanimously seconded to accept the resignation with regrets and place same on file.

- 8) The Mayor submitted a communication requesting concurrence his appointment of Robert Fejt to the Zoning Board of Appeals to fill the vacancy created by the resignation of Michele Skryd. Chapman made a motion, seconded by Skryd, to concur in the Mayoral appointment as presented. The motion carried by voice vote.
- 9) The Mayor submitted a communication announcing the appointment of Donald Erce to the Police Pension Board due to the resignation of Julie Leopold. Chapman made a motion, seconded by Brocato, to concur in the recommendation as presented and accept the resignation of Mrs Leopold with regrets. The motion carried by voice vote.
- 10) The Mayor submitted a communication requesting concurrence in his appointments of the following members to the Community Relations Committee for three year terms.

Michael O'Connor, Jr.
Maria Fernandez
Javier Rojas

Terri Shonder
Richard Feliciano

Christy Roberts
Victor Zamora

Chapman made a motion, seconded by Skryd, to concur in the recommendation and place same on file. The motion carried by voice vote.

- 11) The Mayor submitted a communication recommending the creation of a Citizens Advisory Committee. After discussion, Chapman made a motion, seconded by Lovero, to refer the matter to the Committee of the Whole. The motion carried by voice vote.
- 12) The Mayor submitted a communication stating that Robert Woodyard, Public Works and Georgia Zouvas, Building Department have submitted letters tendering their resignation. Chapman made a motion, seconded by Ramos, to accept the resignations with regrets. The motion carried by voice vote.
- 13) The Mayor submitted a communication requesting the Occupancy Affidavit used in real estate transactions be abolished. After discussion Chapman made a motion to concur in the recommendation. Lovero stated his views on the subject, at which time Senator Sandoval, a member of the audience stated his. After further discussion, Chapman withdrew her motion. Thereafter, Ramos made a motion, seconded by Skryd, to refer the matter to the Committee of the Whole. The motion carried by voice vote.
- 14) The Mayor submitted a communication requesting an ordinance be drafted for an adjudication of overdue water bills. Weiner made a

motion, seconded by Chapman, to refer the matter to the Ordinance/Resolution Committee. The motion carried by voice vote.

- 15) City Clerk Pavlik submitted a communication and Resolution to open the following closed meeting minutes that are no longer necessary to keep confidential.

May 28, 2002	June 11, 2002	July 23, 2002
November 12, 2002	February 25, 2003	August 12, 2003
September 23, 2003	November 25, 2003	January 27, 2004
March 9, 2004	March 15, 2004	March 23, 2004
April 13, 2004		

Chapman made a motion, seconded by Phelan, to concur and adopt the Resolution as presented. The motion carried by voice vote.

- 16) City Clerk Pavlik submitted a communication recommending that he be named as the Illinois Municipal Retirement Fund (IMRF) authorized agent for the City of Berwyn, pursuant to Sec. 7-135 of the Illinois Pension Code. After discussion, Brocato made a motion, seconded by Weiner, to concur in the recommendation as presented. The motion carried by voice vote.
- 17) The City Clerk submitted an Ordinance entitled:

2005 PREVAILING WAGE ORDINANCE

"An act regulating wages of laborers, mechanics and other workers employed in any public works by the Township of Berwyn or any public body or any political subdivision or by anyone under contract for public works." Lovero made a motion, seconded by Chapman, to concur, adopt the ordinance as presented, authorize the corporate authorities to affix their signatures and cause the publication of same with the cost being shared by the Township, Public Health District and the City of Berwyn. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 18) The City Clerk submitted an ordinance entitled:

AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND A RESOLUTION AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH

Lovero 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 voice vote.

- 19) The Ordinance & Resolution Committee submitted an ordinance entitled:

ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN REGARDING BUILDING HEIGHT AND SETBACKS IN A-1 SINGLE FAMILY RESIDENCE DISTRICTS

Skryd 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, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.

- 20) The Ordinance & Resolution Committee submitted an ordinance entitled:

ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN REGARDING TIME LIMITATIONS FOR DORMER CONSTRUCTION

After discussion, Lovero 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.

- 21) Alderman Erickson submitted a communication requesting a building permit for an addition to the property at 1301 Grove Avenue. After discussion, Erickson made a motion, seconded by Phelan to concur and approve the recommendation as presented. The motion carried by the following roll call: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

Thereafter, Skryd made a motion, seconded by Chapman, to refer the matter to the Law Department to draft a variance for said property. The motion carried by voice vote.

- 22) Alderman Erickson submitted a communication requesting handicap signs and residential parking only between 3:00 a.m. and 9:00 a.m. at 6919 Roosevelt Road. After discussion, Erickson 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.

Thereafter, Lovero made a motion, seconded by Brocato to refer the matter to the Ordinance and Resolution Committee for the draft of an ordinance. The motion carried by voice vote.

- 23) Alderman Erickson submitted a communication which was withdrawn by Order of the Chair.
- 24) Alderman Erickson submitted a communication regarding City gasoline usage by City employees. After discussion, Weiner made a motion, seconded by Erickson to waive the reading and refer the matter to the Budget Committee. The motion carried by voice vote.
- 25) Alderman Erickson submitted a communication regarding domestic animal/pet control policies. Thereafter, Erickson made a motion, seconded by Chapman to refer the matter to the Administration Committee for study and report. The motion carried by voice vote.
- 26) Alderman Erickson submitted a communication regarding a Valet Parking Ordinance. After discussion, Chapman made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole and all Department Heads. The motion carried by voice vote.
- 27) Alderman Weiner submitted a communication and ordinance from the City of Chicago regarding motor vehicle noise (11-4-1115) and requested the adoption of same. After discussion, Weiner made a motion, seconded by Chapman, to refer the matter to the Ordinance and Resolution Committee. The motion carried by voice vote.
- 28) The Fire and Police Committee submitted a communication recommending that the City of Berwyn meet with the representative from Medical Reimbursement Services to discuss the contract and billing in detail. Weiner made a motion, seconded by Brocato, to refer the matter to the Fire and Police Committee for further discussion. The motion carried by voice vote.
- 29) Alderman Brocato submitted a communication regarding portable basketball hoops being used in alleys late at night. Thereafter, Brocato made a motion, seconded by Lovero, to refer the matter to the Ordinance and Resolution Committee. The motion carried by voice vote.

- 30) Alderman Phelan submitted a communication requesting a tree removal from the parkway at 1644 Elmwood Avenue. Phelan made a motion, seconded by Brocato, to concur and refer the matter to the Public Works Department for removal. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 31) Alderman Phelan submitted a communication regarding the 4th of July fireworks display contracted with Melrose Pyrotechnics, Inc., at a cost of \$5,000.00 each from the North Berwyn Park District and the Berwyn Park District with the City contributing \$9,000.00 for a total of \$19,000.00. After discussion, in which the Mayor assured the Council members that the remaining \$4,000.00 would be forthcoming from the private sector, Chapman made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 32) Alderman Chapman submitted a communication requesting variances for a condominium conversion at 3839-45 Wenonah Avenue. After discussion, Chapman made a motion, seconded by Skryd, to concur in the recommendation and refer the matter to the Law Department. The motion carried by voice vote.
- 33) Alderman Skryd submitted a communication regarding Zoning Hearing Fees. After discussion, Skryd made a motion, seconded by Chapman, to refer the matter to the Building, Zoning, Planning Committee for review. The motion carried by voice vote.
- 34) Alderman Skryd submitted a communication requesting the Public Works Department to properly stripe and realign bumpers in the parking spaces at Happy Days Child Development Center, 6304 W. 26th St. After discussion, Skryd made a motion, seconded by Chapman, to concur and refer the matter to the Public Works Department. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero, Erickson. Nays: Phelan.
- 35) Alderman Skryd submitted a communication and petitions from residents requesting that speed bumps be installed on the 6400 blocks of 26th Pl., 27th St., 27th Pl., 28th St., 28th Pl., and 29th St. Thereafter, Skryd made a motion, seconded by Chapman, to refer the matter to the Police Department for a traffic study. The motion carried by voice vote.

- 36) The Board of Fire and Police Commissioners submitted a communication appointing Robert Pilch to the position of Probationary Firefighter for the City of Berwyn, due to the resignation of Kristopher Zahrobsky. Chapman made a motion, seconded by Ramos, to concur and accept the matter as informational. The motion carried by voice vote.
- 37) Alderman Chapman submitted the payroll report for June 1, 2005, in the total amount of \$684,001.17. Chapman made a motion, seconded by Weiner, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 38) Alderman Chapman submitted the payables for June 14, 2005, in the total amount of \$335,291.12. Chapman made a motion, seconded by Weiner, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 39) Jeff Janda, Executive Director of the Berwyn Park District submitted a communication indicating that the Berwyn Park District would like to donate a surplus adult Automatic External Defibrillator (AED) to the City of Berwyn for use in City Hall in case of a cardiac emergency and also included a contract disclaimer for same. After discussion, Lovero made a motion, seconded by Ramos, to concur, adopt and authorize the Mayor to affix his signature thereto and place same on file. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 40) The Law Department submitted a Resolution adopting the National Incident Management System by the City of Berwyn, Cook County, Illinois. After discussion, Lovero made a motion, seconded Skryd, 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.
- 41) Thomas Martirano, Director of Public Works submitted an agreement to resurface Oak Park Avenue, Ogden to 39th Street using MFT Funds. After discussion, Brocato made a motion, seconded by Chapman, to concur, adopt the agreement 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.

- 42) Alba Lovero, City Collector submitted a communication from Edward Jones, a financial firm requesting permission to do door to door solicitation in the City of Berwyn. After discussion, Chapman made a motion, seconded by Brocato, to deny the request as presented. The motion carried by voice vote.
- 43) Alba Lovero, City Collector submitted a communication indicating that although the exemption fee for Real Estate Transfers was raised to \$50.00, the processing fee in (chapter 888.025) was not changed and requested that the processing fee be applied for refunds on said exemptions. After discussion, Lovero made a motion, seconded by Chapman, to refer the matter to the Ordinance and Resolution Committee. The motion carried by voice vote.
- 44) Daniel LeBeau, Building Director submitted a request to seek sealed bids for new HVAC work at the 16th Street Community Center to be opened at the June 28, 2005 Berwyn City Council meeting. Thereafter Brocato made a motion, seconded by Ramos 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.
- 45) Patrick R. Keenan, Marketing and Communication Manager of the Berwyn Development Corporation submitted a communication requesting S. Berwyn/Depot District TIF funding for a facade rehabilitation project at 6727 Stanley Avenue, not to exceed \$82,269.50. After discussion, Skryd made a motion, seconded by Chapman, to defer the matter. The motion carried by voice vote.
- 46) At this time the Consent Agenda, items K-1 through K-15, were submitted.
 - K-1 Block garage sale, 2300 block of Highland/Harvey-August 6, 2005
 - K-2 Block garage sale, 2600 block of Kenilworth/Grove-June 24 & 25, 2005
 - K-3 Sidewalk sale-Alamo Shoes, 6548 Cermak-July, 15, 16, 17, 2005
 - K-4 MacNeal Hospital Health & Family Fun Fair-August 13, 2005
 - K-5 Block party, 1800 block Maple-July 2, 2005
 - K-6 Block party, 1600 block Maple-July 3, 2005
 - K-7 Block party, 2900 block Maple-July 4, 2005
 - K-8 Block party, 2100 block Elmwood-July 3, 2005
 - K-9 Block party, 3800 block Kenilworth-August 21, 2005
 - K-10 Block party, 3100 block Wenonah-August 20, 2005
 - K-11 Block party, 2500 block Cuyler-July 9, 2005
 - K-12 Block party, 1600 block Euclid-July 2, 2005

K-13 Metro Towing-\$2,840.00-month of May 2005

K-14 City Collector-Business licenses issued during May 2005

K-15 Block party, 3200 block Wenonah-July 1, 2, 2005

Brocato made a motion, seconded by Skryd, to concur, grant permission and accept the matters as informational. The motion carried by voice vote.

- 47) The Mayor called a Committee of the Whole meeting for Monday, June 20, 2005, at 6:30 p.m. (portion closed), referrals and also called a Committee of the Whole for Tuesday, June 28, 2005, at 7:00 p.m. on referrals.
- 48) Alderman Chapman called a Budget Committee meeting for Wednesday, June 22, 2005, at 7:30 p.m. on referrals.
- 49) Alderman Skryd called a Building, Zoning & Planning Committee meeting for Wednesday, June 22, 2005, at 8:00 p.m. on referrals.
- 50) Alderman Lovero called an Ordinance/Resolution Committee meeting for Tuesday, June 21, 2005, at 6:30 p.m. on referrals.
- 51) There being no further business to come before the meeting, same was, after a motion by Brocato, seconded by Skryd, adjourned at the hour of 9:40 p.m., by roll call vote.

Respectfully submitted,

Thomas J. Pavlik, City Clerk