

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

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

**MINUTES**  
**BERWYN CITY COUNCIL**  
**FEBRUARY 14, 2006**

- 1) The regular meeting of the Berwyn City Council was called to order at 8:25 p.m. 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 Shaun Cardelli, killed in Iraq and for former Representative Harold Collier.
- 3) The Open Forum portion of the meeting was announced. State Representative Giles presented the City with a grant of \$250,000 for a new fire truck. Happy Birthday to Aldermen Skryd and Chapman. Ed Rios, 6540 Sinclair stated a tree on the 3200 block of Gunderson needed to be cut down. Mr. Ramirez, 1500 block of Clinton complained about graffiti and robberies in the area. Sol Price, owner of Alamo Shoes requested a zoning change at 6548 Cermak Rd.
- 4) The minutes of the Berwyn City Council meeting held on January 24, 2006 and the Committee of the Whole minutes held on January 24, 2006 were submitted. Brocato made a motion, seconded by Skryd to accept the minutes as presented and place same on file. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: none Abstain: Erickson.
- 5) The Mayor submitted a Proclamation for Eugene Brandt, retiring Public Works Employee, proclaiming February 24, 2006 as Eugene Brandt Day in Berwyn. Brocato made a motion, seconded by Chapman, to concur in the recommendation and adopt the Proclamation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none
- 6) The Mayor submitted the Collective Bargaining Agreement between the City of Berwyn and the (IMPA) Illinois Municipal Police Association along with a communication with the recommendation by the City Attorney to adopt the agreement. Thereafter, Brocato made a motion to adopt the Agreement which failed for lack of a second. After discussion, Lovero made a motion, seconded by Chapman 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.

Weiner made a motion, seconded by Brocato to concur in the recommendation, adopt the agreement as presented and authorize the appropriate corporate authorities to affix their signatures thereto. Yeas: Chapman, Weiner, Brocato, Lovero. Nays: Ramos. Excused: Skryd. Phelan and Erickson declined to enter a vote.

Thereafter, the Corporation Counsel gave his interpretation of Roberts Rules of Order and stated that Aldermen Phelan and Erickson's declining to enter a vote, shall be interpreted as a Present Vote and shall be entered as affirming the majority vote.

The Mayor declared the motion carried.

- 7) Chapman made a motion, seconded by Weiner to suspend the rules and bring forth item J-1. The motion carried by voice vote. The Berwyn Development Corporation submitted a communication regarding a revised payment schedule for the Voigt Project. Thereafter, Erickson made a motion, seconded by Lovero, to concur in the recommendation and approve as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none
- 8) The Mayor submitted his 2006 proposed Budget. After discussion, Lovero made a motion, seconded by Brocato, to waive the reading and refer the matter to the Budget Committee. The motion carried by voice vote.
- 9) The Mayor submitted a communication regarding an engagement letter from the auditing firm of Sikich, Gardner & Co., LLP for the compensation time and sick day buyback for the Police Department. After discussion, Lovero 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
- 10) The Mayor submitted a communication pertaining to a request by Stan Wilk, a Berwyn developer for diagonal parking at 6643-45 W. 19<sup>th</sup> Street and for the removal of two trees. After discussion, Erickson made a motion, seconded by Ramos to refer the matter to the Administration Committee. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Weiner.

- 11) The Mayor submitted a communication requesting concurrence in his appointments of Gerard Pater and Scott Waguespack to serve a (3) year term on the Fire Pension Board, through February, 2009. Thereafter, Skryd 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. Nays: Erickson.
- 12) The Mayor submitted a communication amending the terms of the Library Board appointments of Ann Marrone, Doris Remp and Deborah Cullen to August 2009. Phelan made a motion, seconded by Skryd to accept the matter as informational. The motion carried by voice vote.
- 13) The Mayor submitted a communication regarding an update on the trip to Springfield. After discussion, Skryd made a motion, seconded by Chapman to accept the matter as informational. Thereafter, Ramos made a motion, seconded by Chapman to amend the communication to reflect the support of Veterans and to accept the matter as informational. The motion carried by voice vote.
- 14) The Mayor submitted a communication regarding the Cooperation and Grant Agreement, Judicial Advisory Council in the amount of \$10,000. Brocato made a motion, seconded by Chapman 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.
- 15) The Mayor submitted a communication regarding the appointment of a Finance Director. After discussion, Chapman made a motion, seconded by Skryd to defer the matter until the end of the Council meeting. The motion carried by voice vote.
- 16) The Mayor submitted a communication regarding Highway Authority Agreements for properties located at 6333 W. Ogden Avenue and 6229 W. Ogden Avenue. Chapman made a motion, seconded by Weiner to defer the matter for two weeks. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Erickson. Nays: Lovero.
- 17) The City Clerk submitted a communication regarding a notice of retirement for Lori DiMenna, Secretary to the Clerk's office and Secretary to the City Council. Thereafter, Brocato made a motion, seconded by Lovero to accept the matter as informational and place same on file with many thanks and deep regrets. The motion carried by voice vote.

- 18) The City Clerk submitted a communication regarding the appointment of Louise Sommese to the position of Deputy City Clerk/Secretary to City Clerk and City Council. Brocato made a motion, seconded by Lovero to waive the hiring freeze and concur in the appointment as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 19) The City Clerk submitted a communication regarding a replacement for the position of Administrative Clerk. Lovero made a motion, seconded by Ramos to concur in the recommendation and refer the matter to the Director of Human Resource for immediate posting of same. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 20) Alderman Lovero submitted a communication requesting a tree removal from the parkway at 1514 Wenonah Avenue. After discussion, Lovero made a motion, seconded by Brocato to concur in the recommendation and refer the matter to the Public Works Department for removal of said tree. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.
- 21) Alderman Ramos submitted a communication requesting that (2) Neighborhood Watch signs be placed on the 3100 block of Wesley Avenue. Ramos made a motion, seconded by Skryd to concur in the recommendation and authorize the Public Works Department to install said signs. The motion carried by voice vote.
- 22) Alderman Ramos submitted a communication requesting a pedestrian walk on Public Works Drive. After discussion, Ramos made a motion, seconded by Erickson to refer the matter to the Public Works Department. The motion carried by voice vote.
- 23) Alderman Ramos submitted a communication regarding a traffic study at Ogden and Harvey Avenue to 34<sup>th</sup> Street. After discussion, Chapman made a motion, seconded by Skryd to refer the matter to the Police Department and the Public Works Department for study and review. The motion carried by voice vote.
- 24) The Education Committee submitted a communication regarding Drug Forfeiture Funds with a recommendation that the committee meet with the new Police Chief to discuss his views on Drug Forfeiture Funds. Ramos made a motion, seconded by Chapman to accept the matter as informational and to inform the Budget Committee as to when a meeting will be held. The motion carried by voice vote.

- 25) Alderman Skryd made a motion, seconded by Chapman to suspend the rules and bring forth item H-14 as germane. The motion carried by voice vote.

Alderman Brocato submitted a communication requesting a stop sign be installed at 23<sup>rd</sup> and Gunderson Avenue. Thereafter, Brocato made a motion, seconded by Erickson to concur in the recommendation 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.

- 26) Alderman Brocato submitted a communication requesting a stop sign be installed at 18<sup>th</sup> and Lombard Avenue. After discussion, Brocato made a motion, seconded by Erickson to concur in the recommendation 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.

- 27) The Fire and Police Committee submitted a communication regarding "Digital Mobile Speed Enforcement" with the recommendation that the matter remain in committee for further study. The motion carried by voice vote.

- 28) The Public Works Committee submitted a communication regarding a closed meeting for the Public Works Union contract with a recommendation to continue negotiations with union representatives for the 2006-07 contract. Brocato made a motion, seconded by Skryd to accept the matter as informational. The motion carried by voice vote.

- 29) Alderman Brocato submitted a communication requesting certain deletions from the Public Works referral list. Thereafter, Brocato made a motion, seconded by Chapman to concur in the recommendation and accept the matter as informational. The motion carried by voice vote.

- 30) The Budget Committee submitted the payroll report for January 25, 2006 and February 8, 2006 in the total amount of \$1,418,648.45. Thereafter, 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.

- 31) The Budget Committee submitted the payables for February 14, 2006 in the total amount of \$866,297.19. After discussion, Chapman made

a motion, seconded by Skryd, to approve the payables with the exception of check #325700 and approve the payment of \$629,259.33. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Erickson.

- 32) Alderman Skryd submitted a communication regarding landlord and tenant liability. After discussion, Brocato made a motion, seconded by Ramos to refer the matter to the Law Department for review. The motion carried by voice vote.
- 33) The Building Zoning and Planning Committee submitted a communication regarding circuit breakers with the recommendation to amend 1446.01 section A. After discussion, Skryd made a motion, seconded by Chapman to refer the matter to the Ordinance and Resolution Committee for drafting of an ordinance. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero. Nays: Brocato, Phelan, Erickson.
- 34) The Building Zoning and Planning Committee submitted a communication recommending an increase in penalties for construction performed without benefit of a permit (Section 1444.02). Skryd made a motion, seconded by Weiner to refer the matter to the Ordinance and Resolution Committee for the drafting of an ordinance. The motion carried by voice vote.
- 35) The Building Zoning and Planning Committee submitted a communication regarding verbiage on awnings. Skryd made a motion, seconded by Brocato to refer the matter to the Ordinance and Resolution Committee for the drafting of an ordinance and also to schedule a public hearing on the matter. The motion carried by voice vote.
- 36) The Building Zoning and Planning Committee submitted a communication regarding an increase in compliance fees for zoning section 1444.01 sub section 4. After discussion, Skryd made a motion, seconded by Ramos to refer the matter to the Ordinance and Resolution Committee for the drafting of an ordinance. The motion carried by voice vote with Alderman Phelan voting nay.
- 37) The Building Zoning and Planning Committee submitted a communication regarding Ordinance 1444.01 Plan Review Deposit. Skryd made a motion, seconded by Lovero to refer the matter to the Ordinance and Resolution Committee for the drafting of an ordinance. The motion carried by voice vote.

38) Alderman Phelan submitted a communication regarding Alamo Shoes, 6548 Cermak Road. After discussion, Phelan made a motion, seconded by Ramos to refer the matter to the Committee of the Whole. The motion carried by voice vote.

39) The Law Department submitted an Ordinance entitled:

**AN ORDINANCE DESIGNATING A RESTRICTED RESIDENTIAL PARKING ZONE FOR THE 1600 BLOCK OF WESLEY AVENUE AND DESIGNATE 15 MINUTE ONLY PARKING ON WESLEY AVENUE, IN THE CITY OF BERWYN, COUNTY OF COOK, ILLINOIS**

After discussion, Phelan made a motion, seconded by Lovero, to concur, adopt as amended 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

40) The Berwyn Police Department submitted a communication requesting a handicapped sign for Norman Tuck, 2714 Ridgeland Avenue. Skryd made a motion, seconded by Chapman to defer the matter. The motion carried by voice vote.

41) The Board of Fire and Police Commissioners submitted a communication regarding the appointment of Timothy Berwick to the Berwyn Fire Department. After discussion, Brocato made a motion, seconded by Skryd to concur in the appointment. Thereafter, Brocato withdrew the motion.

Chapman made a motion, seconded by Weiner to accept the matter as informational. The motion carried by voice vote with Lovero voting nay.

42) A communication regarding resident permit parking only in the 8<sup>th</sup> Ward was submitted. After discussion, Chapman made a motion, seconded by Erickson to approve as presented. Thereafter, the motion was withdrawn on a motion by Chapman, seconded by Erickson and carried by voice vote.

43) The Law Department submitted a communication requesting the Public Works Department to install signage on the 1200, 1300 and 1400 blocks throughout the 8<sup>th</sup> Ward stating "**Resident Permit Parking Only 3 a.m to 9 a.m.**" and also submitted the following ordinances:

**(484.08) RESIDENT PERMIT PARKING ONLY 3 AM TO 9 AM**

**(462.01) BERWYN RESIDENT PARKING PERMIT (also referred to as Vehicle Sticker)**

**(484.02) SuperZone Decals**

**(462.01) Berwyn SuperZone Parking Permit Decal (also referred to as SuperZone Sticker)**

**(422.03©) is repealed**

After discussion, Erickson made a motion, seconded by Chapman to concur, adopt the ordinances as presented and authorize the appropriate corporate authorities to affix their signatures thereto and also to refer the signage request to Public Works for installation. The motion carried by the following roll call: Yeas: Chapman, Ramos, Phelan, Lovero, Erickson. Nays: Weiner, Skryd, Brocato.

- 44) The Building Director submitted a communication requesting an amendment to the Peace Disturbance Ordinance. After discussion, Chapman made a motion, seconded by Weiner to refer the matter to the Ordinance and Resolution Committee. The motion carried by voice vote.
- 45) The Building Director submitted a communication requesting permission to seek bids for a new roof at the 16<sup>th</sup> St. Community Center. After discussion, Brocato made a motion, seconded by Skryd, to concur and grant permission. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none
- 46) At this time the Consent Agenda, items K-1 through K-2 were submitted.

K-1 Building Permits issued during January 2006

K-2 Business Licenses issued during January 2006

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

- 47) Item E-10 which was tabled earlier was re-introduced. The Mayor submitted a communication regarding an appointment of a Finance Director. After discussion, Weiner made a motion, seconded by Chapman to recess the meeting and enter into a closed session for discussion of the matter. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none

At 10:25 p.m. the Council Meeting was reconvened by the following roll call: Present: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Absent: none.

Thereafter, Ramos made a motion, seconded by Phelan to refer the matter of the hiring of a Finance Director to the Committee of the Whole. The motion carried by voice vote.

- 48) The Mayor announced a Committee of the Whole meeting for Tuesday, February 21, 2006 at 6:30 p.m., (closed to the public) for Union Contract negotiations.
- 49) Alderman Chapman announced a Budget Committee meeting for Monday, February 20<sup>th</sup> at 6:30 p.m. and Monday, February 27<sup>th</sup> at 6:30 p.m. on referrals.
- 50) Alderman Ramos announced an Education Committee meeting for Tuesday, February 28, 2006 ay 6:00 p.m. on referrals.
- 51) Alderman Weiner announced a Fire and Police Committee meeting for Wednesday, February 22, 2006 ay 6:30 p.m. on referrals.
- 52) Alderman Skryd announced a Building Zoning and Planning Committee meeting for Thursday, February 23, 2006 at 7:00 p.m. on referrals.
- 53) Alderman Brocato announced a Public Works Committee meeting for Wednesday, February 22, 2006 at 10:00 a.m. on referrals.
- 54) 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 10:38 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk