

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
APRIL 11, 2006

1. The regular meeting of the Berwyn City Council was called to order at 8:20 p.m. by Mayor O'Connor. 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 and the meeting duly convened for further business.
2. The Pledge of Allegiance was recited and the Mayor called for a moment of silence in memory of our Armed Forces overseas and for the safety of our own Firefighters and Police Officers.
3. The open forum of the meeting was announced. Patrice Murtha, of 1522 Oak Park Ave., spoke on loud music , car alarms and questioned our Noise Ordinance.
4. The minutes for the Berwyn City Council meeting held on March 28, 2006, along with the minutes of the Public Hearing, March 28, 2006, the Special City Council meeting, March 30, 2006 and the Committee of the Whole minutes from March 7, and March 28, 2006 were submitted. Brocato made a motion, seconded by Skryd, to approve the minutes as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
5. Items D-1, D-2, D-3, invitations to bid for Landscaping for Ogden Avenue, Cermak Road, and the Computer Railway were presented. Brocato made a motion, seconded by Skryd, to publicly open bids, and authorize the Law Department and any other interested parties to proceed to the Conference Room to tabulate and return same to the Council Chambers for public reading. The motion carried by a voice vote.
6. Skryd made a motion, seconded by Ramos, to suspend the rules and bring forth Item I-6 and I-10. The motion carried. Thereafter, Brocato made a motion, seconded by Skryd, to make I-6 germane to I-10. The motion carried. Police Chief Kushner submitted a communication regarding the promotion of Detective Earl Briggs to Sergeant, and the assignment of Giordano Manfredini to Unit Commander of the Detective Bureau. Thereafter, Clerk Pavlik administered the oath of

office. The Mayor thanked both of them and gave good well wishes. Thereafter, Skryd made a motion, seconded by Brocato, to concur and accept the matter as informational. The motion carried by an unanimous roll call vote.

7. Chapman made a motion, seconded by Weiner, to suspend the rules, and bring forth Items J-1 Thru J-4. Item J-1, the Berwyn Development Corporation submitted a communication regarding Harris Bank Loan. After discussion, Lovero made a motion, seconded by Skryd, to accept the recommendation as submitted, and to refer the matter to the Law Department to amend the Resolution. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
8. The Berwyn Development Corporation submitted a communication regarding the Cermak Road Overlay District Ordinance. Skryd made a motion, seconded by Brocato, to waive reading, concur in the recommendation, and approve the expenditure not to exceed \$34,000, and refer the matter to the Building/Zoning/Planning Committee. Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
9. The Berwyn Development Corporation submitted a communication regarding the Kaleidoscope Kids Loan in the amount of \$35,000. After discussion, Brocato made a motion, seconded by Skryd, to concur in the recommendation, and approve as submitted. After further discussion, the Mayor questioned if there was collateral on the loan. Brocato amended his motion, seconded by Chapman, to include them providing a UCC filing for Personal Liability. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
10. The Berwyn Development Corporation submitted a communication regarding the review and approval of attached design for the 2006 Berwyn sponsored Banner Program. The Mayor introduced Jon Fey, the Chair of the Marketing Committee, who introduced the Banner design. After discussion, Chapman made a motion, seconded by Ramos, to approve the design as submitted. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
11. The Mayor submitted a communication regarding the Tax Assessment Case #02-20034, with recommendation to concur with the decision as discussed in the Closed Committee of the Whole. Thereafter, Skryd made a motion, seconded by Chapman, to concur. The motion carried

by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

12. The Mayor submitted a communication regarding the Commonwealth Edison purchase option. After discussion, Skryd made a motion, seconded by Chapman, to concur in the recommendation, and to continue service through Commonwealth Edison with their bundled rate. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
13. The Mayor submitted a communication regarding the removal of items from the Committee of the Whole referral list. Brocato made a motion, seconded by Chapman, to waive reading and concur in the recommendation. The motion carried by a voice vote.
14. The Mayor submitted the amended Final Budget for 2006. Chapman made a motion, seconded by Ramos, to accept the matter as informational and authorize the Clerk to file said Budget with the County. The motion carried by a voice vote.
15. The Mayor submitted an agreement between the North Berwyn Park District and the City of Berwyn for the 16th Street Community Center. Lovero made a motion, seconded by Skryd, to excuse Alderman Phelan from the vote. The motion carried. Thereafter, Lovero made a motion, seconded by Skryd, to concur and Adopt the agreement as presented, and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero, Erickson. Nays: none. Excused: Phelan.
16. The Mayor submitted a communication regarding Kriz Park contract amendment with the North Berwyn Park District. Ramos made a motion, to refer the matter to the Recreation Committee. After discussion, Ramos withdrew the motion. Brocato made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
17. The Mayor submitted a communication regarding Chapter 823-Casual Sales. After discussion, Skryd made a motion, seconded by Chapman, to refer the matter to the Ordinance and Resolutions Committee. The motion carried by a voice vote.
18. The Mayor submitted a communication regarding the cost of Vehicle Stickers, and recommended that the current price remain and that the

senior citizens continue to receive one free sticker. Brocato made a motion, seconded by Weiner, to concur and accept and file as informational. The motion carried by a voice vote.

19. The Mayor submitted a communication regarding Chapter 860, Peddlers and Solicitors. After discussion, Skryd made a motion, seconded by Weiner, to concur in the recommendation and refer to Ordinance and Resolutions to amend Ordinance. The motion carried by a voice vote.
20. The Mayor submitted a communication regarding (IHDA), Affordable Housing. Brocato made a motion, seconded by Skryd, to waive reading and refer to the Committee of the Whole. After discussion, the motion was withdrawn. Thereafter, Brocato made a motion, seconded by Skryd, to defer and refer the matter to the Law Department. The motion carried by a voice vote.
21. The 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

After discussion, Skryd made a motion, seconded by Brocato, to concur and Adopt the Ordinance as amended with the exception of Ordinance 05-38, which was to be referred for Public Hearing. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson.

22. The Zoning Board of Appeals submitted a Resolution regarding Paul A. Paul, Jr., 3623 S. Wesley Avenue. Chapman made a motion, seconded by Skryd, to waive the reading and concur with the decision of the Zoning Board of Appeals and Deny the request. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero, Erickson. Nays: Brocato, Phelan.
23. Alderman Weiner submitted a communication regarding tree removal for 2243 Euclid. After discussion, Weiner made a motion, seconded by Skryd, to amend the communication and refer to the Tree Board to review and report back the City Council. The motion carried by a voice vote.

24. Alderman Chapman submitted a communication regarding changes in Ordinance 210.10. Thereafter, Chapman made a motion, seconded by Ramos, to amend the communication to include a deadline for City Council Agenda Items and refer the matter to the Committee of the Whole. The motion carried by a voice vote.
25. Alderman Chapman submitted a communication regarding changing parking restrictions on Windsor between Harlem and Home Avenues. After discussion, Chapman made a motion, seconded by Erickson, to concur and approve as amended, to read 3 am to 11 am, and to refer to Public Works for installation of signs. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none
26. Brocato made a motion, seconded by Skryd, to suspend the rules, and refer back to Items D-1 thru D-3, tabulations of Landscaping bids. D-1, Ogden Avenue, Brocato made a motion, seconded by Skryd, to concur and award the contract to the lowest bidder, McAdams, for \$7,840. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none
27. Item D-2, the bids for the Cermak Road Landscaping were returned Brocato made a motion, seconded by Ramos, to concur and award the contract to the lowest bidder, B. Davids, for \$28,880. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none
28. Item D-3, bids for Commuter Railway Landscaping were returned. Brocato made a motion, seconded by Phelan, to concur and award the contract to the lowest bidder, Mc Adams, for \$28,416. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none
29. Alderman Chapman submitted a communication regarding the change in Parking Meters on Windsor between Harlem and Maple. After discussion, Chapman made a motion, seconded by Ramos, to concur and approve as amended, and to refer to Public Works. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
30. Alderman Chapman submitted a communication regarding the review of Payroll Register(s). After discussion, Chapman made a motion, seconded by Erickson, to concur. The motion carried by a voice vote.

31. Alderman Chapman submitted a communication regarding Balance Sheets. After discussion, Chapman made a motion, seconded by Skryd, to concur and refer to the Finance Director. The motion carried by a voice vote.
32. The Budget Committee submitted the payroll report for April 5, 2006 in the total amount of \$731,001.63. Thereafter, Chapman made a motion, seconded by Ramos, to concur in the recommendation and approve for payment. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Erickson.
33. The Budget Committee submitted the payables report for April 11, 2006 in the total amount of \$815,031.52. Alderman Chapman questioned the White Sox group outing event and requested this be approved on City Council Floor. After discussion, Chapman made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
34. The Ordinance and Resolutions Committee submitted an ordinance entitled,

ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN REGARDING ELECTRICAL INSTALLATIONS

After discussion, Skryd made a motion, seconded by Weiner, to concur and Adopt the ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. Yeas: Ramos, Weiner, Skryd, Lovero, O'Connor. Nays: Chapman, Brocato, Phelan, Erickson.

35. The Ordinance and Resolutions Committee submitted an ordinance entitled,

ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN REGARDING FEE FOR WORKING WITHOUT A PERMIT

Skryd made a motion, seconded by Weiner, to concur and Adopt the ordinance as amended and to authorize the corporate authorities to affix their signatures thereto. Yeas: Ramos, Weiner, Skryd, Phelan, Lovero. Nays: Chapman, Brocato, Erickson.

36. The Ordinance and Resolutions Committee submitted an ordinance entitled,

ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN REGARDING FEES FOR A CERTIFICATE OF OCCUPANCY AND COMPLIANCE

After discussion, Skryd made a motion, seconded by Weiner, to concur and Adopt the ordinance as presented. The motion failed on the following roll call: Yeas: Chapman, Weiner, Skryd, Lovero. Nays: Ramos, Brocato, Phelan, Erickson, O'Connor. Thereafter, Chapman made a motion, seconded by Skryd, to refer to the Committee of the Whole. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero. Nays: Brocato, Phelan, Erickson.

37. The Ordinance and Resolutions Committee submitted an ordinance entitled,

ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN REGARDING PLAN REVIEW DEPOSITS

Skryd made a motion, seconded by Chapman, to concur and Adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

38. The Ordinance and Resolutions Committee submitted an Ordinance entitled,

ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN REGARDING BOARD OF APPEALS COMPENSATION

Skryd made a motion, seconded by Brocato, to accept the ordinance as presented and refer to the Clerk to schedule a Public Hearing. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

39. The Ordinance and Resolutions Committee submitted an ordinance entitled,

ORDINANCE INSTITUTING LIMITATIONS ON THE DURATION OF MEETINGS

After discussion, Chapman made a motion, seconded by Brocato, to defer the matter. The motion carried by a voice vote.

40. The Ordinance and Resolutions Committee submitted an ordinance entitled,

ORDINANCE LIMITING THE TIME AND FREQUENCY OF MEETINGS

Skryd made a motion, seconded by Weiner, to refer to the Committee of the Whole. The motion was defeated by the following roll call vote: Yeas: Ramos, Weiner, Skryd. Nays: Chapman, Brocato, Phelan, Lovero, Erickson. After discussion, Chapman made a motion, seconded by Erickson, to concur and Adopt 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.

41. The Ordinance and Resolutions Committee submitted a communication regarding the Adoption of Illinois Plumbing Code and National Electrical Code, with the recommendation that the matter remain in the Committee for further discussion. Lovero made a motion, seconded by Brocato, to accept the matter as informational. The motion carried by a voice vote.

42. The Ordinance and Resolutions Committee submitted an ordinance entitled,

ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN REGARDING FAILURE TO CORRECT VIOLATIONS PRIOR TO TRANSFER OF PROPERTY

Skryd made a motion, seconded by Chapman, to concur and Adopt the ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

43. The Ordinance and Resolutions Committee submitted an ordinance entitled,

ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN REGARDING MARQUEES, CANOPIES AND AWNINGS

After discussion, Skryd made a motion, seconded by Weiner, to approve as amended and to refer to the Clerk to schedule a Public Hearing. The motion carried by a voice vote.

44. Alderman Phelan submitted a communication regarding Thirty Minute Parking for 6401-6413 W. 16th Street. After discussion, Phelan made a motion, seconded by Ramos, to defer the matter. The motion carried by a voice vote.
45. Alderman Skryd submitted a communication regarding the Cook County Clean Indoor Air Ordinance. After discussion, Skryd made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
46. A Deferred communication submitted by the Berwyn Police Department regarding a handicapped sign for Jose Guerrero, 1334 Wisconsin. Erickson made a motion, seconded by Ramos, to concur with the investigating officer, and Deny said sign. The motion carried by a voice vote.

47. The Law Department submitted an ordinance entitled,

AN ORDINANCE AMENDING ORDINANCE NO. 484.05 FOR HANDICAPPED PARKING STICKERS IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

After discussion, Chapman made a motion, seconded by Brocato, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.

48. The Law Department submitted an ordinance entitled,

AN ORDINANCE AMENDING ORDINANCE NO. 484.05 FOR THE RESERVATION OF STREET PARKING FOR HANDICAPPED PERSONS IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

After discussion, Lovero made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.

49. Police Chief submitted a communication regarding 25 mph speed limit signs on Windsor and Stanley Avenues. Skryd made a motion, seconded by Chapman, to concur in the recommendation and refer to Public Works Department for the installation of said signs. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
50. Police Chief submitted a communication requesting to hire three patrolmen off the eligibility list. After discussion, Skryd made a motion, seconded by Lovero, to concur in the recommendation. The

motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

51. The Building Director submitted a communication regarding the awarding of the 16th Street Cultural/Senior Center rehab bid to Construction Solutions of Illinois, Inc. in the amount of \$128,723.00. Skryd made a motion, seconded by Weiner, to concur and accept the matter as informational. The motion carried by a voice vote.
52. The Director of Human Resources submitted a communication regarding seasonal part time recreation department employees, with job posting, for review and approval. Skryd made a motion, seconded by Weiner, to concur and accept as informational. The motion carried by a voice vote.
53. The Collector submitted a communication regarding Chapter 840.17- Placement of Restaurant Tables on Sidewalks. After discussion, Skryd made a motion, seconded by Brocato, to concur in the recommendation and refer to the Ordinance and Resolutions Committee for the drafting of an ordinance. The motion carried by a voice vote.
54. Frank Novotny and Associates submitted a communication regarding the 2006 C.D.B.G. Alley Improvements along with the scheduled dates for the acceptance of bids and bid openings. Brocato made a motion, seconded by Chapman, to concur in the recommendation. The motion carried by a voice vote.
55. Frank Novotny and Associates submitted an Agreement for Engineering Services, Engineering Design and Construction Guidance for the Library Parking Improvements. Brocato made a motion, seconded by Chapman, to concur and approve as submitted and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
56. The Public Works Department submitted a communication regarding Trash Receptacles to be placed on Roosevelt Road. After discussion, Brocato made a motion, seconded by Chapman, to concur and approve as amended. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
57. The Berwyn Police Department submitted a request for a handicapped sign for Diana Bryan, 3832 Kenilworth. Chapman made a motion,

- seconded by Brocato, to defer the matter. The motion carried by a voice vote.
58. The Berwyn Police Department submitted a request for a handicapped sign for Lupe Rios, 3208 Scoville. Ramos made a motion, seconded by Skryd, to defer the matter. The motion carried by a voice vote.
 59. The Berwyn Police Department submitted a request for a handicapped sign for Rudy Reyes, 1440 Highland. Brocato made a motion, seconded by Weiner, to defer the matter. The motion carried by a voice vote.
 60. The Berwyn Police Department submitted a request for a handicapped sign for Carmen Meza, 2142 Harvey. Brocato made a motion, seconded by Skryd, to defer the matter. The motion carried by a voice vote.
 61. The Berwyn Police Department submitted a request for a handicapped sign for Jeannie Villasenor, 1542 Clinton. After discussion, Lovero made a motion, seconded by Erickson, to concur in the recommendation of the investigating officer and Deny the handicapped sign and to amend and approve a "Drop Off Zone" The matter was referred to Public Works for installation of said sign. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
 62. The Berwyn Police Department submitted a request for a handicapped sign for Norman Tuck, 2714 Ridgeland. Skryd made a motion, seconded by Lovero, to defer the matter. The motion carried by a voice vote.
 63. The Berwyn Police Department submitted a request for a handicapped sign for Rosemary Godawa, 3126 Kenilworth. Weiner made a motion, seconded by Skryd, to concur in the recommendation of the investigating officer and Deny said sign. The motion carried by a voice vote.
 64. The Library Director submitted a communication requesting authorization to go out for bid to purchase and install automatic door openers. After discussion, Chapman made a motion, seconded by Brocato, to concur and approve the request as submitted. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
 65. At this time the Consent Agenda, Item K-1 and K-2 were submitted:

- K-1 Business Licenses issued during March, 2006
- K-2 Berwyn Storm Soccer Club Tag Day-July 22, 2006

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

- 66. Mayor call a Committee of the Whole meeting for April 25, 2005 @6:00 p.m. on referrals and to Close for Meeting Minute approval and Contract negotiations. Thereafter, Chapman made a motion, seconded by Ramos, to concur in the request. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 67. Alderman Skryd called a Building, Zoning and Planning Committee meeting for Monday, April 17, 2006 @ 7:00 p.m. on the Landscape Ordinance.
- 68. Alderman Lovero called a Ordinance and Resolutions Committee meeting for Tuesday, April 18, 2006 @ 6:00 p.m. on referrals.
- 69. Aldermen Erickson and Chapman called a Joint Administration and Budget Committee meeting for Tuesday, April 18, 2006 @ 7:00 p.m. on referrals.
- 70. There being no further business to come before the meeting, same was, after a motion by Skryd, seconded by Brocato, adjourned at the hour of 10:11 p.m.

Respectfully submitted,

Thomas J. Pavlik
City Clerk

