

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
APRIL 25, 2006

1. The regular meeting of the Berwyn City Council was called to order at 8:25 p.m. with Mayor O'Connor presiding. Upon the call of the roll the following 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 for the Armed Forces overseas and for the our Firemen and Police Officers.
3. The Open Forum portion of the meeting was announced. Margaret Otto, 6614 W. 34th St. read a statement into record and requested the Mayor reconsider the dismissal of Bill Hensley, Library Director and presented the Mayor with signed petitions. Tony Vallasenor, One Atrium Ct. requested a letter from Mayor and Legal Council regarding Atrium Ct. Lucille Evans, 3131 Wisconsin, spoke in favor of reappointing Bill Hensley. Alderman Ramos reported on recent Earth Day cleanup in the Second Ward. Mayor O'Connor reported \$40,000 received from MacNeal Hospital for the Senior Bus Program. There being no further speakers, the Mayor declared the Open Forum closed.
4. The minutes of the Berwyn City Council meeting held on April 11, 2006, the Committee of the Whole of March 14, March 22, and April 4, 2006 were presented. Brocato made a motion, seconded by Skryd to approve the minutes as submitted and place same on file. The motion carried by a unanimous vote.
5. Chapman made a motion, seconded by Erickson, to suspend the rules and bring forth Item H-9. Chapman submitted a communication regarding the Integrity of City Government. Chapman made a motion, seconded by Erickson, to refer to the Administration Committee. After discussion, Chapman amended her motion, seconded by Erickson, to refer Items #1 and #3 to the Administration Committee. The motion

carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Phelan, Lovero, Erickson. Nays: Weiner, Brocato. Thereafter, Chapman made a motion, seconded by Erickson, to concur and approved Item #2, authorizing the Administration Committee to hire outside independent Legal Counsel if needed. The motion carried by the following roll call: Yeas: Chapman, Ramos, Brocato, Phelan, Lovero, Erickson. Nays: Weiner, Skryd.

6. Skryd made a motion, seconded by Weiner, to suspend the rules and bring forth Item J-1. The Berwyn Development Corporation submitted a communication regarding Applebee's revised contract. After discussion, Lovero made a motion, seconded by Ramos, to excuse Weiner from the vote, the motion carried. Thereafter, Lovero made a motion, seconded by Chapman, to concur and Adopt the amended contract as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none. Excused: Weiner.
7. Chapman made a motion, seconded by Lovero, to suspend the rules and bring forth Item H-10, the motion carried. Alderman Chapman submitted a communication regarding the Library Director. After discussion, Chapman made a motion, seconded by Erickson, to concur in the Library Board's appointment of Bill Hensley as Library Director. Thereafter, the Mayor ruled the motion out of order, and requested the Corporation Counsel's opinion, which concurred with the Mayor. Thereafter, Chapman read the Illinois State Statue to the contrary. After discussion, a roll call vote on Chapman's motion to concur carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
8. A deferred communication from the Illinois Housing Development Authorities, Affordable Housing. Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth Item I-7 as germane. The motion carried. A Resolution pertaining to the Housing Development First Time Home Buyers Single Family Program and Mortgage Credit Certificate Program in the City of Berwyn. Thereafter, Lovero made a motion, seconded by Skryd, to concur and Adopt the Resolution 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.

9. The Mayor submitted a Proclamation regarding the Cook County Sheriff's Medal of Honor Award to Mel Benes, and proclaiming Wednesday, April 26, 2006 as Mel Benes Day in Berwyn. Skryd made a motion with a unanimous second, to concur and Adopt the Proclamation as presented. The motion carried by a voice vote.
10. The Mayor submitted a Proclamation, declaring April 26, 2006 as All Berwyn Committee Day in Berwyn in recognition of the organization's 60th Anniversary. Chapman made a motion, with a unanimous second, to concur and Adopt the Proclamation as presented. The motion carried by a voice vote.
11. The Mayor submitted a communication regarding the Veto of the proposed Ordinance 210.12(a), Limitation on the Time and Frequency of Meetings. After discussion, Chapman made a motion, seconded by Erickson, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
12. The Mayor submitted a communication regarding Goal Setting Seminar. Lovero made motion, seconded by Chapman, to waive reading and refer to the Committee of the Whole. The motion carried by a voice vote.
13. The Mayor submitted a communication regarding Mayoral Appointments. After discussion, Lovero made a motion, seconded by Chapman, to defer and refer to the Administration Committee. The motion carried by a voice vote.
14. The Mayor submitted a communication regarding amending Ordinance 242.03, Appointed Officers; Appointment Procedures. After discussion, Lovero made a motion, seconded by Chapman, to defer and refer to the Committee of the Whole. The motion carried by a voice vote.
15. The Mayor submitted a communication regarding the Chicago Water refund in the amount of \$4,725,239. Brocato made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
16. The Mayor submitted a communication regarding the Nicor Franchise Change Request. After discussion, Skryd made a motion, seconded by Chapman, to concur and approve the renewal of the Franchise

Agreement with the revision of free gas for our city buildings. The motion carried by a voice vote.

17. The Mayor submitted a communication requesting the development of Bid Specs for Garbage service. After discussion, Brocato made a motion, seconded by Skryd, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
18. The Mayor submitted notification of written orders entered at conclusion of Liquor License Hearing proceedings. Brocato made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
19. The Mayor submitted a Proclamation declaring April 30 through May 6, 2006, as Municipal Clerk Week and extended his appreciation to our Municipal Clerk, Thomas J. Pavlik. Thereafter, Brocato made a motion, with a unanimous second, to concur and adopt the Proclamation as presented. The motion carried by a voice vote.
20. Brocato suspended the rules and made a motion to wish Alderman Lovero a Happy Birthday. The motion was unanimously concurred.
21. A deferred communication from the Ordinance and Resolutions Committee regarding Limitations on the Length of Meetings. After discussion, Lovero made a motion, seconded by Erickson, to refer to the Committee of the Whole. The motion carried by a voice vote.
22. A deferred communication from Alderman Phelan regarding parking at 6401-6413 W. 16th Street. After discussion, Phelan made a motion, seconded by Brocato, to amend on face, to allow 90 minute parking and to concur and refer to Public Works for installation. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
23. Alderman Ramos submitted a communication regarding a request for a Traffic signal on the intersection of Ogden and Harvey Avenues. After discussion, Ramos made a motion, seconded by Chapman, to refer to the Ordinance and Resolutions Committee to draft a Resolution. The motion carried by a unanimous roll call vote.
24. Alderman Ramos submitted a communication regarding installing left turn lanes on Ogden Avenue at Ridgeland and Oak Park Avenues. Ramos made a motion, seconded by Chapman, to waive reading and

concur and refer to the Ordinance and Resolutions Committee. The motion carried by a voice vote.

25. Alderman Ramos submitted a communication for the removal of parking restrictions on the 3300 block of Harvey Avenue. Ramos made a motion, seconded by Chapman, to concur and refer to Public Works department for removal of said signs. The motion carried by a voice vote.
26. Alderman Ramos submitted a communication requesting tree removal at 3632 S. Gunderson. Ramos made a motion, seconded by Chapman, to refer to the Tree Board. After discussion, the motion was withdrawn. Ramos made a motion, seconded by Brocato, to concur and approve as amended and to refer to Public Works for removal. : Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.
27. Alderman Weiner submitted a communication regarding the removal of (2) trees at 2310 Euclid. After discussion, Weiner made a motion, seconded by Skryd, to refer to the Tree Board. The motion carried by a voice vote.
28. Alderman Chapman submitted a communication regarding payment of wages for Tom Roth. 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.
29. The Budget Committee submitted the Payroll report for April 25, 2006, in the total amount of \$791,269.58. Chapman made a motion, seconded by Skryd, to concur and approve for payment. Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.
30. The Budget Committee submitted the Payables report for April 25, 2006, in the total amount of \$1,921,557.40. 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.

31. The Ordinance and Resolutions Committee submitted an ordinance entitled:

ORDINANCE AMENDING THE BUSINESS REGULATION AND TAX CODE OF THE CITY OF BERWYN REGARDING A MUNICIPAL GAS USE TAX

After discussion, Chapman made a motion, seconded by Ramos, to concur and Adopt the amended ordinance and to authorize the corporate authorities to affix their signatures thereto. The motion carried by Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

32. The Administration Committee submitted a communication regarding the request by Stanley Wilk, for diagonal parking on 6643-6645 W. 19th Street. After discussion, Erickson made a motion, seconded by Ramos, to concur in the recommendation of the committee and Deny the request. The motion carried by the following roll call. Yeas: Chapman, Ramos, Phelan, Lovero, Erickson. Nays: Weiner, Skryd, Brocato.
33. The Administration Committee submitted a communication regarding a "Smoke Free Workplace Policy". After discussion, Erickson made a motion, seconded by Skryd, to refer to Human Resource Director. The motion carried by a voice vote.
34. The Administration Committee submitted a communication regarding Alderman Gas Usage. After discussion, Erickson made a motion, seconded by Ramos, to refer the matter to the Mayor for a detailed report of gas usage. The motion carried by a voice vote.
35. The Administration Committee submitted a communication regarding Visitor parking permits. After discussion, Skryd made a motion, seconded by Ramos, to refer the matter to the Police Department for study and report. The motion carried by a voice vote with several condescending nays. Roll call was not taken. The Mayor declared the motion carried.
36. A deferred communication from the Berwyn Police Department regarding the Handicapped sign for Diane Byron, 3832 Kenilworth. After discussion, Chapman made a motion, seconded by Ramos, to overrule the investigating officer and install said sign. The motion carried by a unanimous roll call vote.

37. Alderman Erickson made a motion, seconded by Phelan, to reconsider the vote on Item 35, regarding Visitor Parking permits. The motion carried by the following roll call. Yeas: Chapman, Ramos, Brocato, Phelan, Lovero, Erickson. Nays: Weiner, Skryd. Thereafter, Erickson made a motion, seconded by Phelan, to refer to the Ordinance and Resolutions Committee to draft ordinance. After discussion, the motion carried by the following roll call. Yeas: Chapman, Ramos, Phelan, Lovero, Erickson. Nays: Weiner, Skryd, Brocato.
38. A deferred communication from the Berwyn Police Department regarding a Handicapped sign for Lupe Rios, 3208 Scoville. Ramos made a motion, seconded by Skryd, to concur in the recommendation of the investigating officer and install said sign. The motion carried by a unanimous roll call vote.
39. A deferred communication from the Berwyn Police Department regarding a Handicapped sign for Rudy Reyes, 1440 Highland. After discussion, Brocato made a motion, seconded by Chapman, to concur in the recommendation of the investigating officer and Deny said sign. The motion carried by a voice vote.
40. A deferred communication from the Berwyn Police Department regarding a Handicapped sign for Carmen Meza, 2142 Harvey. Brocato made a motion, seconded by Weiner, to concur in the recommendation of the investigating officer and Deny said sign. The motion carried by a voice vote.
41. A deferred communication from the Berwyn Police Department regarding a Handicapped sign for Norman Tuck, 2714 Ridgeland. Skryd made a motion, seconded by Weiner, to concur in the recommendation of the investigating officer and install said sign. The motion carried by a unanimous roll call vote.
42. A deferred communication from the Berwyn Police Department regarding a Handicapped sign for Barbara Warfield, 1835 Oak Park Ave. Phelan made a motion, seconded by Chapman, to defer the matter. The motion carried by a voice vote.
43. The Law Department submitted the Labor Contract between the City of Berwyn and the Berwyn Firefighters Association, Local 506 for 2006-2008. Ramos made a motion, seconded by Erickson, to defer the matter for two weeks. The motion carried by a voice vote.

44. The Public Works Department submitted a communication regarding Tree removal at 2243 Euclid. Weiner made a motion, seconded by Skryd, to concur, and refer the matter to Public Works for the removal of said tree. The motion carried by a unanimous roll call vote.
45. The Human Resources Department submitted a communication regarding Employee Promotion. Chapman made a motion, seconded by Ramos, to withdraw the communication. The motion carried by a voice vote.
46. Novotny and Associates submitted a communication regarding the South Berwyn TIF Lighting Improvements, "Engineer Payment Estimate #5 and Final" to J.F. Edwards Construction Co. in the total amount of \$5,248.86. Brocato made a motion, seconded by Chapman, to concur and approve for payment. The motion carried by a unanimous roll call vote.
47. The Community Outreach Director submitted a communication regarding Cartopia parade, June 24, 2006. After discussion, Chapman made a motion, seconded by Lovero, to concur and approve as amended and waive any financial obligation for City services. The motion carried by a unanimous roll call vote.
48. At this time the Consent Agenda: Items K-1 and K-2 were submitted:
K-1-Building and Local permits issued during March, 2006
K-2-Cancer Society Tag Day-April 29, 2006

Brocato made a motion, seconded by Skryd, to approve as submitted. The motion carried by a voice vote.
49. The Mayor called a Committee of the Whole meeting for Tuesday, May 2, 2006 @ 7:00 p.m. for referrals.
50. Police and Fire Committee called a meeting for Thursday, May 4, 2006 @ 6:30 p.m. Closed for personnel
51. Building, Zoning, Planning Committee called a meeting for Wednesday, May 10, 2006 @ 7:00 p.m. for referrals
52. The Ordinance and Resolutions Committee called a meeting for Tuesday, May 2, 2006 @ 6:00 p.m. for referrals.

53. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Skryd, to adjourn at the hour of 10:25 p.m. The motion carried by the following roll call vote. Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero, Erickson. Nays: Brocato.

Respectfully submitted,

Thomas J. Pavlik
City Clerk