

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

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

**MINUTES**  
**BERWYN CITY COUNCIL**  
**SEPTEMBER 12, 2006**

1. The regular meeting of the City Council was called to order by Mayor O'Connor at 8:05 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Absent: none.
2. The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the deceased father of Officer Donald Garrity, 911 remembrance, the safety of our armed forces and for our own Police and Firefighters.
3. The Open Forum portion of the meeting was announced. The Mayor recognized Sam Molinaro, Firefighter's Union president, who thanked Aimee Sordelli for all her efforts in putting together the 911 remembrance and food distribution. Maria Fernandez, 2722 Lombard, spoke of graffiti on garages on the 26<sup>th</sup> thru the 29<sup>th</sup> blocks between Harvey and Lombard, Joe Vallez, Director of the North Berwyn Park District presented two banners from the 911 remembrance, with residents signatures, to the Police and Fire Departments, Tom Benson, of the Berwyn Development Corporation, and business owner, spoke of lack of affordable housing and the problem of realtors promoting section 8 housing, Alderman Lovero presented Aimee Sordelli with a 911 commemorative flag and thanked her for all her hard work in putting together the 911 event, Aimee Sordelli then thanked all who were involved especially the North Berwyn Park District, the Best of Berwyn kids, and reported that the extra food was distributed to the Oak Park fire department, Clerk Pavlik, City Clerk, thanked all for condolences received for the passing of his father, Alderman Chapman thanked all those involved with the Route 66 Car show and invited all to attend the Oktoberfest on September 23<sup>rd</sup>. Mayor O'Connor addressed the North Berwyn Park district's request to hold a Flea Market on September 23, 2006 and granted permission by Order of the Chair.
4. The minutes of the Berwyn City Council meeting held on August 22, 2006, the Committee of the Whole on August 26, 2006 and August 30, 2006, were presented. Alderman Phelan questioned Item 21 and requested the Item be amended on its face. Thereafter, Brocato made a motion, seconded by Skryd, to approve the minutes, as amended. The motion carried by a voice vote, with Alderman Weiner voicing a contrary nay.

5. Alderman Chapman addressed the two communications from the Berwyn Health department that were included in the packet as additional information and stated that they should be on City Council agenda. After discussion, no motion on the matter was made. Thereafter, Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth Items I-16, I-17, and I-18 and J-3 and to make I-16 germane to J-3. The motion carried.  
Item J-3- Police Chief Kushner submitted a communication regarding the recent hire of three(3) probationary police officers, from the Lateral Eligibility pool. Thereafter, Clerk Pavlik administered the Oath of Office to, Michael S. Gallagher, Michael J. Akim, and Troy M. Stinson. Thereafter, Skryd made a motion, seconded by Brocato, to concur the new hires. The motion carried by a unanimous voice vote.
6. Items I-17 and I-18. The Fire and Police commissioners submitted a communication regarding the appointment of Brian M. Smith and Michael Gennett, as Probationary Firefighters. Thereafter, Clerk Pavlik administered the Oath of Office. Thereafter, Weiner made a motion, seconded by Brocato, to concur in the appointments. The motion carried by a unanimous voice vote.
7. Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth Item I-19, a communication from the Fire Chief and the Fire and Police commissioners regarding the promotion of Tim Biedron to Lieutenant and James Wojnarowski to the rank of Engineer. Thereafter, Clerk Pavlik administered the Oath of Office. Thereafter, Skryd made a motion, seconded by Chapman, to concur with the promotions. The motion carried by a unanimous voice vote.
8. The bids for the replacement of VAV terminal and replacement of Rooftop Cooling Water Tower for the Berwyn Public Library were submitted. Brocato made a motion, seconded by Skryd, to authorize the corporate authorities and all interested parties to proceed to the conference room for the opening and tabulation of bids. The motion carried.
9. The bids for the parking lot improvements for the Berwyn Public Library were submitted. Skryd made a motion, seconded by Chapman, to authorize the corporate authorities and all interested parties to proceed to the conference room for opening and tabulation of bids. The motion carried.
10. Skryd made a motion, seconded by Ramos, to suspend the rules and bring forth Item J-4. The Police Chief submitted a communication regarding the Crossing Guard program. Thereafter, Skryd made a motion, seconded by Ramos, to waive the hiring freeze, and to concur with the recommendation and approve as submitted and to refer to the Budget committee for Mid – Year adjustments. The motion carried by the following roll call: Yeas:

Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

11. The Berwyn Development Corporation submitted a communication regarding Bill Hlavacek of James and Williams Jewelers and the request for TIF assistance for renovation with the estimated cost of \$70,018. Thereafter, Lovero made a motion, seconded by Chapman, to concur and approve for payment in the amount not to exceed 50% of the total cost of construction. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Erickson.
12. The Mayor submitted the AFSCME contract for approval. Brocato made a motion, seconded by Skryd, to waive reading, and to approve the contract as submitted. The motion carried by a unanimous roll call vote.
13. Erickson made a motion, seconded by Skryd, to suspend the rules and to bring forth Item H-1. The Zoning Board of Appeals submitted a communication regarding the Howard Allen Kapso property located at 1323 South Home Avenue. After discussion, Erickson made a motion, seconded by Chapman, to concur in the recommendation of the Zoning Board of Appeals and to deny the request. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero, Erickson. Nays: Brocato.
14. The Mayor submitted a communication regarding the MacNeal Hospital parking garage and the request to the City Council for an additional Zoning Hearing. After discussion, Chapman made a motion, seconded by Skryd, to concur in the recommendation and to hold a special Zoning Hearing. The motion carried by a unanimous roll call vote.
15. The Mayor submitted a communication regarding the creation of a Housing Authority. After discussion, Chapman made a motion, seconded by Skryd, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
16. The Mayor submitted a communication regarding an Ethics ordinance. Thereafter, Chapman made a motion, seconded by Ramos, to waive reading and to refer to the Administration committee. The motion carried by a voice vote.
17. The Mayor submitted a communication regarding the Library roof with the recommendation that they award the bid to the lowest bidder and use remaining Infrastructure Bond fund to cover the expense. Thereafter, Chapman made a motion, seconded by Ramos, to concur and approve for payment. The motion carried by a unanimous roll call vote.

18. The Mayor submitted a communication regarding the appointment of John Chrastka to the Library Board. Thereafter, Chapman made a motion, seconded by Ramos, to concur in the appointment. The motion carried by a voice vote.
19. The Mayor submitted a response to a Citizen, concerning the opening of garbage proposals at the August 22, 2006 City Council. After discussion, Brocato made a motion, seconded by Skryd, to approve as amended and to accept as informational. The motion carried by a voice vote.
20. The Mayor submitted a communication regarding unnecessary Aldermanic accusations. Chapman made a motion, seconded by Ramos, to waive reading and to accept as informational. The motion carried by a voice vote with Alderman Phelan voicing a contrary nay.
21. The Clerk submitted a communication regarding the August 22, 2006, Public Hearing for the proposed Ordinance #1282, Landscaping and Buffering. Thereafter, Skryd made a motion, seconded by Chapman, to concur and refer to the Law department. The motion carried by a unanimous roll call vote.
22. The Zoning Board of Appeals submitted a Resolution and Ordinance pertaining to the property of Ruth Toth, 1525 South Cuyler Avenue. Thereafter, Brocato made a motion, seconded by Phelan, to concur in the recommendation and to Adopt the Resolution and Ordinance to grant permission for the zoning variation. The motion carried by a unanimous roll call vote.
23. The Zoning Board of Appeals submitted a Resolution regarding the Krysystof Zadora property, 1615 S. Oak Park Avenue. Phelan made a motion, seconded by Chapman, to concur with the recommendation of the Zoning Board and to deny the request. The motion carried by a unanimous roll call vote.
24. Alderman Ramos submitted a communication regarding an ordinance on "Speed Bumps". After discussion, Ramos made a motion, seconded by Weiner, to refer to the Ordinance and Resolutions committee. Thereafter, Ramos made a motion, seconded by Weiner, to amend his motion, and to refer to the Committee of the Whole. The motion carried by a voice vote.
25. Alderman Ramos submitted a communication regarding the issuing of Handicap Signs. After discussion, Ramos made a motion to refer to the Public Works department. After further discussion, Ramos amended his motion, seconded by Lovero, to refer to the Committee of the Whole. The motion carried by a voice vote.

26. Alderman Ramos submitted a communication regarding the resurfacing of alleys in the Ogden Avenue TIF District. After discussion, Ramos made a motion, seconded by Chapman, to concur and to refer to the Public Works department and to forward to Novotny and Associates. The motion carried by a unanimous roll call vote.
27. Alderman Erickson submitted a communication regarding a Contingency Clause. Erickson made a motion, seconded by Chapman, to waive reading. The motion carried. After discussion, Erickson made a motion, seconded by Chapman, to refer to the Law department, Building department and Collector's office. The motion carried by a voice vote.
28. Alderman Erickson submitted a communication along with an ordinance entitled:

**AN ORDINANCE TO PROVIDE STRONGER NEIGHBORHOOD POLICE PRESENCE AND NEIGHBORHOOD LAW ENFORCEMENT**

After discussion, Erickson made a motion, seconded by Chapman, to refer to the Law department. The motion carried by a voice vote.

29. The Public Works committee submitted a communication regarding Public Works projects update. Brocato made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
30. The bids for the Library Air Volume (VAV) Terminals were returned to Council for reading with Amber Mechanical Contractors bid for \$27,590 and Complete Temperature Systems bid for \$24,000. The bids for the Rooftop Cooling Water Tower were returned to Council with Complete Temperature Systems bid for \$25,759, Primer Mechanical, Inc. bid for \$51,100, and Amber Mechanical Contractors, Inc. bid for \$30,400. Thereafter, Chapman made a motion, seconded by Skryd, to refer to the Building and Library directors to review and to approve the lowest qualified bidder. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
31. The bids for the Library Parking Lot Improvement were returned to the Council for reading. Construction Management of Illinois, bid for \$230,278.87, Brothers Asphalt Paving, Inc, bid for \$274,239, Chicagoland Paving Contractors, bid for \$225,935, Kenneth Company, bid for \$335,663. Thereafter, Chapman made a motion, seconded by Skryd, to concur with the approval of the Engineer and the Building director, and to accept the lowest qualified bidder. The motion carried by a unanimous roll call vote.

32. The Budget committee submitted a communication regarding the Financial Advisors with the recommendation we continue the Financial Advisor/Underwriter relationship with George K. Baum and Company. Thereafter, Chapman made a motion, seconded by Weiner, to concur and to approve as submitted. The motion carried by a unanimous roll call vote.
33. The Budget committee submitted a communication regarding the Ambulance 905 accident. Thereafter, Chapman made a motion, seconded by Skryd, to bring forth Item J-1 as germane. After discussion, Chapman made a motion, seconded by Skryd, to concur and to approve for payment in the amount of \$10,000 deductible. The motion carried by a unanimous roll call vote.
34. The Budget committee submitted the payroll for August 23, 2006 and September 6, 2006 in the total amount of \$1,608,311.51. Chapman made a motion, seconded by Ramos, to concur and to approve for payment. The motion carried by a unanimous roll call vote.
35. The Budget committee submitted the payables for September 12, 2006 in the total amount of \$1,419,591.65. After discussion, Chapman made a motion, seconded by Ramos, to concur in the recommendation and approve for payment and to refer to the Committee of the Whole. The motion carried by a unanimous roll call vote.
36. The Building Zoning and Planning committee submitted a communication regarding Ordinance #1440 and #1462 with the recommendation that the proposed revisions be adopted and sent to the Ordinance and Resolutions per said amendments. Thereafter, Skryd made a motion, seconded by Chapman, to defer for two weeks. The motion carried by a voice vote.
37. The Fire and Police committee submitted a communication regarding a grievance hearing held for Police personnel dated July 24, 2006, with the recommendation that the grievance be denied. Thereafter, Weiner made a motion, seconded by Chapman, to accept the matter as informational.
38. The Ordinance and Resolutions committee submitted an ordinance entitled:

**ORDINANCE AMENDING THE BUSINESS REGULATION AND TAX CODE OF THE CITY OF BERWYN REGARDING ICE CREAM PEDDLERS**

Thereafter, Lovero made a motion, seconded by Skryd, to concur and **Adopt** the ordinance as presented. The motion carried by a unanimous roll call vote.

39. The Ordinance and Resolutions committee submitted an ordinance entitled:

**ORDINANCE AMENDING THE BUSINESS REGULATION AND TAX CODE OF THE CITY OF BERWYN REGARDING CASUAL SALES**

Thereafter, Lovero made a motion, seconded by Brocato, to concur and **Adopt** the ordinance as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.

40. The Ordinance and Resolutions committee submitted an ordinance entitled:

**ORDINANCE AMENDING THE BUSINESS REGULATION AND TAX CODE OF THE CITY OF BERWYN REGARDING HOURS OF OPERATION FOR BEER GARDENS**

Thereafter, Lovero made a motion, seconded by Skryd, to concur and **Adopt** the ordinance as presented. The motion carried by the following roll call: Yeas: Chapman, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Ramos, Weiner.

41. A deferred communication from the Berwyn Police department regarding the request for a handicapped sign for Rudolf Waldukat, 1926 Highland Avenue. After discussion, Brocato made a motion, seconded by Skryd, to overrule the recommendation of the investigating officer and to authorize the Public Works department to install said sign. The motion carried by a unanimous roll call vote.

42. The Fleet manager submitted a request to scrape a 1990 Chevrolet 1500 2 door Pickup. Brocato made a motion, seconded by Skryd, to concur and to refer to the Finance director. The motion carried by a unanimous roll call vote.

43. The Building director submitted a communication regarding signage for Turano Bakery. After discussion, Skryd made a motion, seconded by Chapman, to concur and to approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Ramos.

44. The Building director submitted a communication regarding properties located at 3625 and 3627 Wesley Avenue. After discussion, Skryd made a motion, seconded by Chapman, to concur. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero, Erickson. Nays: Phelan.

45. Novotny and Associates submitted an Agreement and Resolution regarding the Arterial Street Lighting Improvements, MFT Section No. 05-00162-00-LS. After discussion, Skryd made a motion, seconded by Chapman, to concur and to authorize the corporate authorities to enter into an agreement and affix their signatures thereto. The motion carried by a unanimous roll call vote. Thereafter, the Resolution for Improvement in the amount of \$410,000 was submitted. Brocato made a motion, seconded by Skryd, to concur and Adopt the Resolution as presented. The motion carried by a unanimous roll call vote.
  46. Novotny and Associates submitted a communication regarding the 2006 C.D.B.G. Alley Improvements No. 05-02 Engineer's Payment Estimate No. 2 & Semi-Final in the total amount of \$174,875.87 to Brothers Asphalt Paving, Inc. Thereafter, Brocato made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote.
  47. Novotny and Associates submitted a communication regarding the Community Development Block Grant, 2006 Sidewalk Improvements, Engineering Agreement. Thereafter, Brocato made a motion, seconded by Skryd, to concur and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
  48. The Consent agenda Items K-1 through K-7 were presented:
    - K-1 Collector-business licenses issued-August, 2006
    - K-2 Building Director-building permits issued-August, 2006
    - K-3 Misericordia – tag days-April 27, 28, 2007
    - K-4 St Odilo- Oktoberfest-October 13, 2006
    - K-5 Girl Scouts-Prairie Winds-Fall Program & Candy Sales-October 2, 2006 through February 25, 2007
    - K-6 Presbyterian Church of Berwyn-Crop Walk-October 22, 2006
    - K-7 Block party-1300 Wesley-September 23, 2006
- Ramos made a motion, seconded by Skryd, to concur, grant permission, and to accept as informational. The motion carried by a voice vote.
49. The Mayor called for a joint Committee of the Whole meeting with Oak Park and Cicero for Thursday, October 5, 2006, time and location TBA. Committee of the Whole for Tuesday, September 26, 2006 at 6:00 p.m. for referrals.
  50. Alderman Erickson called for an Administration committee meeting for Monday, September 25, 2006 at 6:30 p.m. for referrals.
  51. Alderman Skryd called for a Building, Zoning, and Planning committee meeting for Tuesday, October 3, 2006 at 7:00 p.m. for referrals.

52. Alderman Ramos called for an Education committee meeting for Monday, September 25, 2006 at 7:30 p.m. for referrals.
53. There being no further business to come before the meeting, adjourned at the hour of 9:45 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk