

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
FEBRUARY 27, 2007

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:10 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero, Phelan, Erickson. Absent: none.
2. Pledge of Allegiance was recited and the Mayor called for a moment of silence for our armed forces overseas, our police and firefighters and for the speedy recovery of Middle school student, Ricky Hernandez.
3. The Open Forum portion of the meeting was announced. Alderman Chapman read a statement to the Mayor regarding him not reappointing President, Patricia Zank and Treasurer, Phyllis Walden to the Library Board.
4. The minutes of the regular City Council meeting of February 13, 2007 and the Committee of the Whole for February 13, 2007 were submitted. Thereafter, Alderman Phelan request to reconsider his vote on item #11. Thereafter, Phelan made a motion, seconded by Skryd, to refer the matter back to the BDC. After discussion, the motion and second were withdrawn. Thereafter, Phelan made a motion, seconded by Skryd, to reconsider the vote to award the TIF. After discussion, the motion and second were withdrawn. Phelan made a motion, seconded by Skryd, to reconsider and deny the TIF request to Mike & Sons. The motion carried by the following roll call: Yeas: Skryd, Brocato, Phelan, Erickson, O'Connor. Nays: Chapman, Ramos, Weiner, Lovero. Thereafter, Ramos made a motion, seconded by Phelan, to refer the TIF request to the BDC. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Chapman, Erickson.
5. Brocato made a motion, seconded by Phelan, to concur and approve the February 13, 2007 minutes for the Berwyn City Council and the Committee of the Whole as submitted . The motion carried by a unanimous voice vote.
6. Weiner made a motion, seconded by Brocato, to suspend the rules and bring forth item J-5. The motion carried. Item J-5 is a communication from the Police Chief regarding the appointment of two Lateral hires, James

McDonnell and Brian Zima as Probationary Police Officers. Thereafter, Clerk Pavlik administered the Oath of Office and congratulations were extended by the Mayor, Clerk, and Aldermen. Skryd made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.

7. Skryd made a motion, seconded by Weiner, to suspend the rules and bring forth item F-1. The motion carried. Item F-1 is a Proclamation from the Mayor honoring Mr. Paul Hruby for his many accomplishments. Thereafter, Skryd made a motion, seconded by Ramos, to concur and adopt. The motion carried by a voice vote.
8. The Berwyn Development Corporation submitted a communication regarding the Proposed City Marketing Budget. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve the budget with a cap of \$131,450. The motion carried by a unanimous roll call vote.
9. The Berwyn Development Corporation submitted a communication requesting to re bid the for roof repairs at 6801 West Cermak Road. Thereafter, Skryd made a motion, seconded by Ramos, to concur and approve the request. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.
10. The Mayor submitted a communication regarding the veto of TIF expenditure for Mike & Sons. Thereafter, the matter was withdrawn by Order of the Chair without objections.
11. The Mayor submitted a communication regarding the Public Works and Water Supervisors positions. Thereafter, Brocato made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
12. The Mayor submitted an ordinance regarding the Pav YMCA Ground Lease Agreement. The ordinance is entitled:

**AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
APPROVING A GROUND LEASE AGREEMENT BY AND BETWEEN THE
CITY OF BERWYN AND YMCA OF BERWYN-CICERO, INCORPORATED**

Thereafter, Brocato made a motion, seconded by Skryd, to concur and Adopt the ordinance as presented and to authorize the corporate

authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

13. The Mayor submitted a communication regarding the Anderson Ford Agreement. Thereafter, Lovero made a motion, seconded by Skryd, to defer and refer the matter to the Committee of the Whole. The motion carried by a voice vote.
14. The Mayor submitted a communication regarding the Intergovernmental Agreement for Roosevelt Road. Thereafter, Skryd made a motion, seconded by Erickson, to approve the draft as submitted and to refer to the Berwyn Development Corporation and Law Department. The motion carried by a unanimous roll call vote.
15. The Mayor submitted a request from Daniel O'Reilly of 3-D's Cool Creations requesting permission to put out a few park benches on the east side of his building which is located at 6730 & 6732 W. Pershing Road. Thereafter, Chapman made a motion, seconded by Ramos, to refer the matter to the Building, Zoning and Planning committee. The motion carried by a voice vote.
16. An emergency oral communication was submitted to the agenda by the Mayor regarding the heating in the basement of City Hall and the need for immediate repair and requested to waive the bidding process and to allow repairs estimated around \$10,000. After discussion, Weiner made a motion, seconded by Ramos, to approve repairs and waive the bidding process up to \$15,000. The motion carried by a unanimous roll call vote.
17. The Clerk submitted a communication regarding the appointment of Two (2) Deputy City Clerk's. Thereafter, Clerk Pavlik Administered the oath of office and congratulations was extended. Lovero made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.
18. A deferred communication from the Zoning Board of Appeals was submitted regarding a Resolution and Ordinance variation for Damonn Payton, 1331 Elmwood Avenue. Thereafter, Erickson made a motion, seconded by Phelan, to concur with the recommendation of the Zoning Board and grant permission. The motion carried by a unanimous roll call vote.
19. A deferred communication from Alderman Erickson regarding the Health and Safety of Berwyn Residents. Thereafter, Erickson handed out a 3 page summary of a proposal, regarding animal welfare, see attached. After

discussion, Erickson made a motion, seconded by Chapman, to accept as informational. The motion carried by a voice vote.

20. Alderman Weiner submitted a rough draft of the 2007 Budget. Weiner made a motion to waive reading. The motion carried. Thereafter, Weiner made a motion, seconded by Ramos, to accept as informational and to refer to the Budget committee. The motion carried by a voice vote.
21. Alderman Erickson submitted a communication regarding the reinstatement of Amanda Ward. Thereafter, the Mayor invoked Rule 28 of the City ordinance 210.12A. Alderman Erickson objected. Thereafter, Bruce Bonebrake, City Attorney, ruled in favor of the action of Rule 28. Erickson requested rule be read and passed out copies of ordinance regarding Rule 28 to aldermen. Discussion ensued regarding interpretation of Rule 28. Thereafter, the request was deferred generally by Order of the Chair under objections from Lovero and Erickson.
22. Alderman Erickson submitted a communication regarding the owners of property located at 1238 Kenilworth and their request, which was denied by the building department, for the said property, to be sold as a three flat. After discussion, Erickson made a motion, seconded by Phelan, concur with the request of the owner and grant permission to sell property at 1238 Kenilworth as a three flat. The motion carried by the following roll call: Yeas: Chapman, Weiner, Brocato, Phelan, Lovero, Erickson. Nays: Ramos, Skryd.
23. Alderman Erickson submitted a communication entitled the "Fried Piper". Thereafter, Erickson made a motion, seconded by Brocato, to waive reading and to accept the matter as informational. The motion carried by a voice vote.
24. Alderman Weiner, chairman of the Budget committee submitted the payables for February 27, 2007 in the total amount of \$713,453.59. Thereafter, Weiner made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote.
25. Alderman Weiner, chairman of the Budget committee submitted the payroll for February 21, 2007 in the total amount of \$847,687.01. Thereafter, Weiner made a motion, seconded by Chapman, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Erickson aye, with the exception of the mayor's hires. Nays: none.
26. The Clean Air Ad Hoc committee submitted an ordinance entitled:

**AN ORDINANCE ESTABLISHING CLEAN INDOOR AIR STANDARDS
AND AMENDING PART SIX OF THE CODIFIED ORDINANCES OF THE
CITY OF BERWYN**

Thereafter, Skryd made a motion, seconded by Skryd, to concur and Adopt as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Ramos, Weiner.

27. A deferred communication from the Berwyn Police department requesting a handicap sign for Benedict Michalowski, 3539 Maple. Chapman made a motion, seconded by Lovero, to defer the matter for two (2) weeks. The motion carried by a voice vote.
28. A deferred communication from the Berwyn Police department requesting a handicap sign for Ilse Walter, 2338 Elmwood. Skryd made a motion, seconded by Weiner, to defer the matter for two (2) weeks. The motion carried by a voice vote.
29. A deferred communication from the Berwyn Police department requesting a handicap sign for Consuelo Murguia, 1818 Ridgeland. Phelan made a motion, seconded by Brocato, to concur with the investigating officer and deny the request. The motion carried by a voice vote.
30. The Berwyn Police department submitted a request for a handicap sign for Philip Jaros, 3716 Euclid. Chapman made a motion, seconded by Ramos, to defer the matter for two (2) weeks. The motion carried by a voice vote.
31. The Finance director submitted a communication requesting permission to post for the position of General Ledger accountant. Thereafter, Skryd made a motion, seconded by Weiner, to waive reading, lift the hiring freeze and concur with the request. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Chapman, Erickson.
32. The Finance director submitted a communication requesting permission to post for the position of Senior Accountant. Weiner made a motion, seconded by Skryd, to waive the hire freeze and concur with the request. Thereafter, Weiner made a motion, seconded by Skryd, to amend the motion to also refer the matter to the Budget committee and the Law department for review of present contract. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Brocato, Phelan. Nays: Chapman, Lovero, Erickson.

33. The Collector submitted a communication requesting to lift the hiring freeze in order to replace a Revenue Clerk. Thereafter, Skryd made a motion, seconded by Weiner, to waive the hiring freeze and to concur with the request. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Brocato, O'Connor. Nays: Chapman, Phelan, Lovero, Erickson.
34. The Public Works director submitted a communication regarding bid results and recommendation to reject all bids received for Contractual Tree Trimming and to re bid project. Skryd made a motion, seconded by Ramos, to concur and grant permission. The motion carried by a unanimous roll call vote.
35. The Public Work's director submitted a communication regarding the final payment for the 2006 Alley Improvements to Brothers Asphalt in the total amount of \$12,183.38. Brocato made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote.
36. The Building director submitted a communication requesting a part time maintenance technician. Thereafter, the communication was withdrawn by Order of the Chair without objection.
37. The Computer Services director submitted a communication regarding the City Phone System-2007 Update. After discussion, Skryd made a motion, seconded by Erickson, to concur and approve for payment. The motion carried by a unanimous roll call vote.
38. The Computer Services director submitted a communication regarding Sonoma Underground Fiber Wiring Prep. Thereafter, Skryd made a motion, seconded by Erickson, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
39. The Law department submitted a request for the removal of the Law department's referral items. After discussion, Brocato made a motion, seconded by Skryd, to concur. The motion carried by a unanimous roll call vote.
40. The Law department submitted an amendment to ordinance 242.03 entitled:

AN ORDINANCE AMENDING SECTION 242.03 OF THE BERWYN CODE TO INCREASE THE NUMBER OF CHAPLAINS FROM ONE TO TWO IN THE CITY OF BERWYN

Thereafter, Lovero made a motion, seconded by Chapman, to approve as amended and authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

41. The Law department submitted a communication with regards to the March 13, 2007 Appropriation Hearing. Thereafter, Weiner made a motion, seconded by Ramos, to concur. The motion carried by a unanimous roll call vote.

42. The Consent Agenda K-1 and K-2 were submitted:
K-1 Concordia Lutheran Church, request to circulate flyers for upcoming events
K-2 The Salvation Army's Donut Days, Friday, June 1 and Saturday, June 2, 2007 and Christmas Kettles, Friday, November 16 through Sunday, December 24, 2007.

Thereafter, Phelan made a motion, seconded by Skryd, to concur and grant permission. The motion carried by a voice vote and approved by Omnibus Vote Designation.

43. The Mayor requested permission to call a Committee of the Whole meeting for Monday, March 12, 2007 at 7:00 p.m. for referrals. Chapman made a motion, seconded by Skryd, to grant permission. The motion carried by a unanimous roll call vote.
The Mayor called a Committee of the Whole meeting for Tuesday, March 13, 2007 at 6:00 p.m. or immediately following the Public Hearing for referrals.

44. Alderman Skryd called an Administration committee meeting, as previously called, for Monday, March 5, 2007 at 7:00 p.m. for referrals.

45. Alderman Weiner called a Budget committee meeting, as previously called, for Monday, March 5, 2007 at 6:00 p.m. for the Budget.

46. Alderman Lovero called an Ordinance and Resolutions meeting for Tuesday, March 6, 2007 at 7:00 p.m. for referrals.

47. Alderman Chapman called for a Building, Zoning, and Planning committee meeting for Monday, March 12, 2007 at 6:00 p.m. for referrals.

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48. 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 9:35 p.m. by a unanimous voice vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk