

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
MARCH 20, 2007

1. The rescheduled meeting of the City Council was called to order by Mayor O'Connor at 8:42 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero, Erickson.
2. The Pledge of Allegiance was recited and a moment of silence was called for the safety of our armed forces overseas, police and firefighters, in memory of the deceased Anne Gjondla, mother of former library director, Gail Lofgren. The Mayor read a tribute to the deceased 5th ward alderman, Benedict "Ben" Brocato. Alderman Chapman announced the birth of her first grandchild. James Young, 2722 Lombard spoke of the excessive amount of trash in front of homes in his area. Mark Titzer, resident of the 3100 block of Maple, invited all to participate in a rally "Rise Up" against violence in memory of a 14 year old who was killed. Alderman Skryd invited all to attend a program sponsored by the Jaycees on Saturday, March 31, 2007 at the Berwyn Public Library.
4. The minutes of the regular City Council meeting held on February 27, 2007, the Committee of the Whole held on February 27, 2007, and the Public Hearing for the 2007 Appropriation ordinance held on March 12, 2007 were submitted. Ramos made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a voice vote.
5. The Berwyn Development Corporation submitted a communication regarding the recommendation of a Planning Team for the Regional Transit Authority's Transit Oriented Development Study Grant. Chapman made a motion, seconded by Weiner, to concur and approve as amended. The motion carried by unanimous roll call vote.
6. The Berwyn Development Corporation submitted a communication regarding Gelato Uno, 6625 W. Roosevelt Road, TIF application. Chapman made a motion, seconded by Erickson, to concur and approve as submitted in an amount not to exceed \$41,447.50. The motion carried by a unanimous roll call vote.
7. The Berwyn Development Corporation submitted a communication regarding the City marketing program and to secure ad space from Clear

Channel. After discussion, Chapman motion, seconded by Ramos, to concur and approve as submitted. The motion carried by a unanimous roll call vote.

8. A deferred communication from the Mayor regarding Anderson Bros. Ford, Inc. loan guaranty. After discussion, Chapman made a motion, seconded by Ramos, to concur and approve as submitted and to authorize the corporate authorities to affix their signatures thereto. Thereafter, the motion was amended and the matter was also referred to the Law department. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero. Nays: Phelan, Erickson.
9. The Mayor submitted a communication regarding the Non-Union Employees pay raises. Thereafter, Skryd made a motion, seconded by Chapman, to refer the matter to the Administration committee. The motion carried by a voice vote.
10. The Mayor submitted a communication regarding the Public Works Supervisory positions. After discussion, Chapman made a motion, seconded by Erickson, to refer the matter to the Administration committee. The motion carried by a voice vote.
11. The Mayor submitted a communication regarding the appointment of two (2) Library Board members. After discussion, Chapman made a motion, seconded Ramos, to refer the matter to the Committee of the Whole. The motion carried by the following roll call: Yeas: Chapman, Ramos, Phelan, Lovero, Erickson. Nays: Weiner, Skryd.
12. The Mayor submitted a communication regarding the pending litigation Case #06 C6396. Thereafter, Skryd made a motion, seconded by Weiner, to concur and approve for payment. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Lovero. Nays: Chapman, Phelan, Erickson.
13. The Zoning Board of Appeals submitted a communication regarding Jorge and Elizabeth Mariscal, 2348 Wesley Avenue. After discussion, the Mayor handed out a copy of the purposed plans for the property. After discussion, Weiner, made a motion, seconded by Phelan, to concur and Adopt the Resolution and Ordinance as submitted. The motion carried by the following roll call: Yeas: Chapman, Weiner, Phelan, Lovero, Erickson. Nays: Ramos, Skryd.
14. Alderman Erickson submitted a communication regarding entitled: "Inconsistency". Thereafter, Erickson made a motion, seconded by

Chapman, to suspend the rules and bring forth item I-3, entitled "Political Activity". The motion carried. Thereafter, Erickson made motion, seconded by Chapman, to defer the both I-1 and I-3 communications for one (1) week. The motion carried by a voice vote.

15. Alderman Erickson submitted a communication regarding Clarification of a February 13, 2007 Directive by the City Council. During discussion, Alderman Erickson stated that this was in regards to the BDC budget request and to release the remainder and to make payment in full to the BDC. Thereafter, Erickson made a motion, seconded by Chapman, to release the remaining budgeted amount in full to the BDC. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Phelan, Lovero, Erickson. Nays: Weiner.
16. Alderman Ramos submitted a communication regarding the waiving of the moratorium on beauty shops for 3339 Highland Avenue. After discussion, Ramos made a motion, seconded by Chapman, to concur. Thereafter, Chapman asked for the motion to be amended to raise the limit by of Beauty Shops allowed by one (1). Thereafter, the amended motion was made by Ramos, and seconded by Chapman. The motion was defeated by the following roll call: Yeas: Chapman, Ramos, Erickson. Nays: Weiner, Skryd, Phelan, Lovero.
17. Chapman made a motion, seconded by Skryd, to suspend the rules and bring forth item I-8. The motion carried. Item I-8 is a communication from the Budget committee regarding the 2007 Budget with the recommendation that the Budget be submitted to the Council for a vote. Thereafter, Lovero made a motion, seconded by Chapman, defer the matter for one (1) week. The motion carried by a voice vote.
18. Alderman Ramos submitted a communication requesting permission to enclose the Receiving Dock at 6507 W. Ogden Avenue. The Mayor referred to building director, Dan LeBeau, who commented on the request. Thereafter, Ramos made a motion, seconded by Chapman, to concur, bypass the Zoning Board of Appeals, and grant permission. The motion carried by a unanimous roll call vote.
19. Chapman made a motion, seconded by Skryd, to suspend the rules and bring forth item J-3. The motion carried. Item J-3 is a deferred communication from the Berwyn Police department requesting a handicapped sign for Phillip Jaros, 3716 Euclid. After discussion, Chapman made a motion, seconded by Skryd, to overrule the investigating officer, and to authorize the Public Works department to install said sign. The

motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Phelan, Lovero, Erickson. Nays: Ramos.

20. Chapman made a motion, seconded by Weiner, to suspend the rules and bring forth item J-6. The motion carried. Item J-6 is a communication from the City Attorney regarding the 2007 Annual Appropriation Ordinance. Thereafter, Chapman made a motion, seconded by Erickson, to refer to the Committee of the Whole and defer for one (1) week. The motion carried by a voice vote.
21. Ramos made a motion, seconded by Erickson, to excuse Alderman Chapman from the meeting. The motion carried by a voice vote.
22. Alderman Ramos submitted a communication regarding Cooperation with Chicagoland Bicycle Federation. After discussion, Ramos made a motion, seconded by Lovero, to approve as submitted and to include "No Parking" signs on 26th Street on the north side of the street, from Lombard to Harlem Avenues. The motion carried by the following roll call: The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Phelan, Lovero, Erickson. Excused: Chapman.
23. Alderman Ramos submitted a communication regarding and Intergovernmental agreement with the North Berwyn Park District. After discussion, Ramos made a discussion, seconded by Lovero, to refer the matter to the Law department to redraft the agreement. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Lovero, Erickson. Abstain: Phelan. Excused: Chapman.
24. Skryd made a motion, seconded by Ramos, to suspend the rules and bring forth item I-14. The motion carried. Item I-14 is a communication from the Fire and Police Board regarding the appointment of William Glaser, Jr. as Probationary Firefighter. The motion carried. Thereafter, Clerk Pavlik administered the Oath of Office and was congratulated by the Mayor and all present. Lovero made a motion, seconded by Ramos, to concur and accept the matter as informational. The motion carried by a voice vote.
25. The Ordinance and Resolutions committee submitted a communication regarding referral item #33 dated March 28, 2006 regarding the 2006 National Electrical and Illinois Plumbing Codes with the recommendation to refer both to the Law department to draft ordinances to adopt codes with the suggested amendments provided by the building director, Dan LeBeau. Thereafter, Lovero made a motion, seconded by Skryd, to concur and refer to the Law department. The motion carried by a voice vote.

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

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN REGARDING FILING FEES

Thereafter, Lovero made a motion, seconded by Skryd, to concur and Adopt the ordinance and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Weiner, Skryd, Lovero, O'Connor. Nays: Ramos, Phelan, Erickson. Excused: Chapman.
27. The Ordinance and Resolutions committee regarding the removal of referral items. Thereafter, Lovero made a motion, seconded by Weiner, to concur and approve as amended. The motion carried by a voice vote.
28. The Building, Zoning and Planning committee submitted a communication regarding the resale of non-conforming 2,3, and 4 flats with the recommendation that the building director use a "System" as discussed for the re sale of non-conforming properties. Thereafter, Skryd made a motion, seconded by Ramos, to concur. The motion carried by a voice vote.
29. The Building, Zoning and Planning committee submitted a communication regarding the 3-D's Cool Creations request to add park benches and paver blocks on the east side of the building on the parkway with the recommendation to approve the request after the Law department writes an agreement with the request that the owner adds a garbage can and lid. Thereafter, Skryd made a motion, seconded by Ramos, to concur and refer the matter to the Law department to draft an agreement. The motion carried by a voice vote. The motion carried by a voice vote.
30. A deferred communication from the Berwyn Police department requesting a handicap sign for Benedict Michalowski, 3539 Maple. Thereafter, Skryd made a motion, seconded by Ramos, to defer the matter for one (1) week. The motion carried by a voice vote.
31. A deferred communication from the Berwyn Police department requesting a handicap sign for Ilse Walter, 2338 Elmwood. Thereafter, Skryd made a motion, seconded by Ramos, to defer the matter generally. The motion carried by a voice vote.
32. The City Attorney submitted a communication regarding the removal of Lawn waste. Thereafter, Lovero made a motion, seconded by Skryd, to

refer the matter to the Ordinance and Resolutions committee. The motion carried by a voice vote.

33. The City Attorney submitted a communication regarding Indemnification Agreement for RedSpeed Enforcement. After discussion, Lovero made a motion, seconded by Erickson, to concur, Adopt the agreement as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Ramos, Weiner, Lovero, Erickson. Nays: Skryd, Phelan. Excused: Chapman.
34. The Public Works director submitted an agreement regarding the "Preliminary Engineering Services Agreement for Motor Fuel Tax Funds" for digital combined Sewer Atlas for MFT section No. 05-00163-00-ES. Thereafter, Skryd made a motion, seconded by Lovero, to concur and approve the agreement as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote with Chapman excused.
35. The Public Works director submitted a Resolution entitled, a "Resolution for Improvement by Municipality under the Illinois Highway Code" regarding the Street Lighting Atlas and Digital Combined Sewer Atlas, MFT Section No. 05-00163-00-ES. Thereafter, Skryd made a motion, seconded by Weiner, to concur and Adopt the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote with Chapman excused.
36. The Public Works director submitted a communication regarding proposed changes to the Emergency Snow Route Procedures. Thereafter, Ramos made a motion, seconded by Skryd, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
37. The Public Works director submitted a communication regarding the waiver of bidding and approval of Emergency Repairs to M-16. After discussion, Weiner made a motion, seconded by Skryd, to concur and approve the repairs in an amount not to exceed \$14,232.50. The motion carried by a unanimous roll call vote with Chapman excused.
38. The Public Works director submitted a communication regarding the Water and Street Superintendent Interviews. Weiner made a motion, seconded by Ramos, to accept the matter as informational. Thereafter, the Mayor interjected and requested a motion to waive the hiring freeze and approve the hire of a Water and Street Superintendent. Thereafter, Skryd made a motion, seconded by Ramos, to concur, waive the hiring freeze, and

approve the hire of a Water and Street Superintendent Supervisor. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, O'Connor. Nays: Phelan, Lovero, Erickson. Excused: Chapman.

39. Skryd made a motion, seconded by Weiner, to suspend the rules and bring item J-20. The motion carried. Item J-20 is a communication from the Public Works director requesting the approval of bidding for TIF Districts Landscaping Maintenance. Thereafter, Weiner made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a unanimous roll call vote with Chapman excused.
40. The Building director submitted a request to advertise for bids for the building repairs for the Central Fire Department. Thereafter, Skryd made a motion, seconded by Weiner, to concur and approve as submitted. The motion carried by a unanimous roll call vote with Chapman excused.
41. The Finance director submitted a communication regarding Infrastructure Funds. After discussion, Weiner made a motion, seconded by Skryd, to concur and authorize the transfer of said funds. The motion carried by a unanimous roll call vote with Chapman excused.
42. The Finance director submitted a communication regarding the 2005 financial statements. Thereafter, Skryd made a motion, seconded by Weiner, to concur and approve the 2005 audit as submitted and place same on file. The motion carried by a unanimous roll call vote with Chapman excused.
43. The City Collector submitted a communication requesting to lift the hiring freeze for the Collector's office. Thereafter, Skryd made a motion, seconded by Weiner, to concur, waive the hiring freeze, and approve the hire. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Lovero. Nays: Phelan, Erickson. Excused: Chapman.
44. The City Collector submitted a communication regarding Commercial Solicitation for Edward Jones Securities. The Mayor recognized Debi Suchy, City Collector and after discussion, Lovero made a motion, seconded by Weiner, to grant permission for solicitation by Edward Jones Securities but not waive the licensing fee. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Phelan, Lovero. Nays: Erickson. Excused: Chapman.
45. The Building director submitted communication requesting the demolition of property located at 1308 Kenilworth. Thereafter, Erickson made a motion,

seconded by Weiner, to concur and approve as submitted. The motion carried by a unanimous roll call vote with Chapman excused.

46. The Recreation director submitted a communication requesting permission to advertise for summer hires. Thereafter, Ramos made a motion, seconded by Lovero, to concur, waive the hiring freeze, and approve as submitted. The motion carried by a unanimous roll call vote with Chapman excused.
47. The Finance director submitted a communication regarding Debt restructure and 2007. 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.
48. Lovero made a motion, seconded by Weiner, to suspend the rules and bring forth item K-6 from the Consent agenda. The motion carried. Item K-6 is a communication from Pastor James Clavey of St. Mary of Celle requesting the waiver of building permit fees in the amount of \$20,062.50 for work done at St. Mary of Celle through Catholic Charities. Lovero made a motion, seconded by Phelan, to deny the request. The motion was defeated by the following roll call: Yeas: Skryd, Phelan, Lovero. Nays: Ramos, Weiner, Erickson, O'Connor. Excused: Chapman. Thereafter, Ramos made a motion, seconded by Erickson, to concur and waive the fees. The motion carried by the following roll call: Yeas: Ramos, Weiner, Erickson, O'Connor. Nays: Skryd, Phelan, Lovero. Excused: Chapman.
49. Erickson made a motion, seconded by Phelan, to suspend the rules and bring forth item K-2 from the Consent agenda. Item K-2 is the Payables for March 13, 2007 in the total amount of \$1,296,811.11. Thereafter, Erickson made a motion, seconded by Phelan, to concur and approve as amended to include the full amount due the BDC of budgeted funds requested. The motion carried by the following roll call: Yeas: Ramos, Skryd, Phelan, Lovero, Erickson. Nays: Weiner. Excused: Chapman.
50. At this time the Consent Agenda items K-1, K-3, K-4, K-5, K-7, were submitted.
 - K-1 Payroll for March 7, 2007 in the total amount of \$759,200
 - K-3 Building permits issued February, 2007
 - K-4 Business licenses issued February, 2007
 - K-5 American Cancer Society-Relay for Life-Tag Days-May 5, 2007
 - K-7 Fitzgerald's 2007 Events.

Thereafter, Weiner made a motion, seconded by Skryd, to concur, approve for payment, and grant permission by Omnibus Vote. The motion carried by a voice vote with Erickson voicing a contrary nay.

51. The Mayor called a Committee of the Whole for Tuesday, March 27, 2007 at 6:00 p.m. for referral. Thereafter, the Mayor requested a Special City Council meeting for Thursday, March 29, 2007 at 8:00 p.m. for Budget related items only. Weiner made a motion, seconded by Skryd, to concur and approve the meeting. The motion carried by the following roll call: Yeas; Ramos, Weiner, Skryd, Phelan, Lovero. Nays: Erickson. Excused: Chapman. Thereafter, the Mayor requested an additional Committee of the Whole for Tuesday, April 3, 2007 at 6:00 p.m. Weiner made a motion, seconded by Skryd, to approve the meeting as requested. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Phelan, Lovero. Nay: Erickson. Excused: Chapman.
52. Alderman Skryd announced an Administration meeting as previously called for Thursday, March 22, 2007 at 5:00 p.m. for referrals and health insurance, Vincent Bertuca invited to attend.
53. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Skryd, adjourned at the hour of 10:10 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk