

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

REVISED
MINUTES
BERWYN CITY COUNCIL
MAY 8, 2007

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:22 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 our armed forces, police, firefighters, paramedics, and in memory of the deceased 5th Ward alderman, Ben Brocato.
3. The Open Forum portion of the meeting was announced. The Mayor recognized, County Commissioner, Anthony Peracia, who gave an update on the West Suburban Cook County projects for Cermak pool in Lyons, and a jogging/bike path which will be connected from 46th and Harlem to the Cermak pool and eventually connect to the DuPage county Prairie path. Mary Karasek, 7015 W. 29th Place, voiced concerns on Satellite dish installations. 1st Ward Alderman Chapman reminded all about the "Bloom and Zoom" flower sale, in the Depot district, on Saturday, May 12th. The Mayor announced a Joint TIF Revenue board meeting for May 18, 2007 at 10 am in the Council Chambers.
4. The minutes of the regular Berwyn City Council meeting held on April 24, 2007 and the minutes of the Committee of the Whole held on April 10, and April 24, 2007 were submitted. Lovero made a motion, seconded by Erickson, to concur and approve as submitted. The motion carried by a voice vote.
5. The Berwyn Development Corporation submitted a communication regarding a TIF application for Tiger O'Stylies, 6300 W. Ogden Avenue in the amount not to exceed \$6,337.50. Thereafter, Ramos made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote.
6. A deferred communication from the Mayor regarding parking at St Mary of Celle and the request for a "No Parking" and "Do Not Block Driveway" signs. Thereafter, Erickson reported meeting with the pastor and stated that, more enforcement is needed in the area. Thereafter, Erickson made a

motion, seconded by Weiner, to concur and approve the installation of said signs. The motion carried by a unanimous roll call vote.

7. The Mayor submitted a proclamation declaring May, 2007 as "National Historic Preservation Month". Thereafter, Skryd made a motion, seconded by Erickson, to concur and Adopt the proclamation as presented. The motion carried by a voice vote.
8. The Mayor submitted a Resolution of Continued Support of and Participation in the West Cook County Solid Waste Agency's Regional Disposal Project. Thereafter, Skryd made a motion, seconded by Weiner, to concur and approve the Resolution as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
9. Skryd made a motion, seconded by Weiner, to suspend the rules and bring forth item J-13. The motion carried. Item J-13 is communication from the Public Works director regarding Tree City USA 20th Anniversary. Thereafter, the Mayor recognized Pat Ryan, Public Works director, who presented a 20 year anniversary flag and an award to the City of Berwyn by the Arbor Day foundation. Thereafter, Skryd made a motion, seconded by Weiner, to accept the matter as informational. The motion carried by a voice vote.
10. The Mayor submitted a communication regarding Mayoral appointments. Weiner made a motion, seconded by Ramos, to concur. The motion was defeated by the following roll call vote: Yeas: Ramos, Weiner, Skryd. Nays: Chapman, Phelan, Lovero, Erickson.
11. The Mayor submitted a communication regarding the appointment of Maureen Brocato, to fill the vacancy of alderman in the 5th Ward. After discussion, Skryd made a motion, seconded by Weiner, to concur and approve the appointment as submitted. The motion was defeated the following roll call: Yeas: Ramos, Weiner, Skryd. Nays: Chapman, Phelan, Lovero, Erickson. During the roll call, Lovero read a statement into record, regarding the matter. During the reading, the fire alarm in City Hall was activated and the Council Chambers was evacuated. The City Council meeting resumed at 9 p.m. Thereafter, Lovero resumed reading his statement.
12. The Mayor submitted a communication regarding the ADA Transition Plan for the City of Berwyn and recommended to form an Adhoc committee to address the issue. Thereafter, Skryd made a motion, seconded by

Chapman, to concur and refer the matter to the Committee of the Whole. The motion carried by a voice vote.

13. The Mayor submitted a communication requesting a handicap sign be installed at EC Valor, 6201 W. Cermak Road. Weiner made a motion, seconded by Lovero, to concur and authorize the Public Works department to install said sign. The motion carried by a unanimous roll call vote.
14. The Mayor submitted a communication requesting a handicap sign for the Medical building located at 3245 S. Grove Avenue. Chapman made a motion, seconded by Weiner, to concur and authorize the Public Works department to install said sign. The motion carried by a unanimous roll call vote.
15. The Mayor submitted a communication regarding an increase in Compliance ticket fees. Skryd made a motion, seconded by Chapman, to concur with the recommendation of the Committee of the Whole to increase fines to \$40 and \$80 and to refer to the Ordinance and Resolutions committee to draft and the amended ordinance. The motion carried by a unanimous roll call vote.
16. The Mayor submitted a communication regarding the removal of items from the Committee of the Whole referral list. Skryd made a motion, seconded by Weiner, to accept the matter as informational. The motion carried by a voice vote.
17. The Zoning Board of Appeals submitted a communication regarding the Soto property located at 1936 Elmwood Avenue. Phelan made a motion, seconded by Skryd, to concur in the recommendation of the Zoning Board of Appeals and deny said request. The motion carried by a unanimous roll call vote.
18. A deferred communication from Alderman Skryd regarding construction at 6448 W. 26th Place, release on Work stoppage. Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth Item J-7 as germane. The motion carried by a voice vote. Item J-7 is the JRK settlement agreement. Thereafter, Skryd made a motion, seconded by Chapman, to defer for two (2) weeks. The motion carried by a voice vote.
19. A deferred communication from the Administration committee regarding Non Union employee pay raises. Thereafter, Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth item I-3 as germane. The motion carried by a voice vote. Item I-3 is a communication from the Administration committee with the

recommendation that the Non Union employees be given a 4% raise in January, 2007 and that the Mayor and the Department Heads with assistance of the Human Resource department set criteria/goals for raises in 2008. After discussion, Skryd made a motion, seconded by Weiner, to concur and approve as submitted. The motion was defeated by the following roll call: Yeas: Ramos, Weiner, Skryd. Nays: Chapman, Phelan, Lovero, Erickson. After further discussion, Lovero made a motion, seconded by Chapman, to concur and approve as amended on face, with a 4% increase, strike reference "with current corresponding contracts". The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Lovero, Erickson. Nays: Skryd, Phelan.

20. Alderman Chapman submitted a communication regarding the guard rail installation along the side of the property located at 3548 S. Kenilworth Avenue. After discussion, Chapman made a motion, seconded by Weiner, to concur and approve as submitted and to refer the matter to the Public Works department for installation. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero, Erickson. Nays: Phelan.
21. Alderman Chapman submitted a communication requesting Financial Reports including Revenue Expense reports and monthly Balance Sheets. After discussion, Chapman made a motion, seconded by Lovero, to concur. The motion carried by a voice vote.
22. Alderman Chapman submitted a communication regarding the Berwyn International Food Fest to be held on May 27, 2007 from noon to 9pm in the parking lot of Tyger O'Stylies, the alley behind the lot, and the 3300-3400 blocks of Highland Avenue. Chapman made a motion, seconded by Ramos, to concur. The motion carried by a unanimous roll call vote.
23. Alderman Skryd submitted a communication requesting to amend the current Fence ordinance to allow 6 foot fences as long as the top 1 foot is an open lattice type. Chapman requested amendment to read "Not to allow fence be erected to the front of building" Skryd made a motion, seconded by Chapman, to concur and to refer to the Ordinance and Resolutions committee to amend said ordinance. The motion carried by a voice vote.
24. Alderman Erickson submitted a communication regarding City Contract Negotiations and requested the possibility of negotiating with contractors for sidewalks, for private property, in conjunction the City's 50-50 sidewalk program. After discussion, Erickson made a motion, seconded by Chapman, to accept the matter as informational.

25. Alderman Erickson submitted a communication regarding an Occupancy Affidavit. After discussion, Erickson made a motion, seconded by Lovero, to refer the matter to the Law department. The motion carried by a voice vote.
26. A deferred communication from the Berwyn Police department requesting a handicapped sign for Rita J. Gritis, 3822 Clarence. After discussion, Chapman made a motion, seconded by Skryd, to overrule the recommendation of the investigating officer, grant permission, and to authorize the Public Works department to install said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Phelan, Lovero, Erickson. Nays: Weiner.
27. A deferred communication from the Berwyn Police department requesting a handicapped sign for Emma Gonzalez, 1814 Elmwood. Thereafter, Phelan made a motion, seconded by Skryd, to concur with the recommendation of the investigating officer, grant permission, and to authorize the Public Works department to install said sign. The motion carried by a unanimous roll call vote.
28. A deferred communication from the Berwyn Police department requesting a handicapped sign for Paul Gasparin, 1510 Grove. Lovero made a motion, seconded by Skryd, to concur with the recommendation of the investigating officer and deny said sign. The motion carried by a voice vote.
29. The Berwyn Police department submitted a request for a handicapped sign for Luba Adamiec, 3744 Gunderson. Ramos made a motion, seconded by Chapman, to concur with the recommendation of the investigating officer, grant permission, and to authorize the Public Works department to install said sign. The motion carried by a unanimous roll call vote.
30. Skryd made a motion, seconded by Weiner, to suspend the rules and bring forth item J-9. The motion carried by a voice vote. Item J-9 is an ordinance submitted by the City Attorney regarding the Auxiliary Police Officers. 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.
31. Skryd made a motion, seconded by Weiner, to suspend the rules and bring forth item J-19. The motion carried by a voice vote. Item J-19 is a communication from the Berwyn Police department requesting to fill the vacant position of Building Custodian/Janitor. Thereafter, Skryd made a motion, seconded by Weiner, to waive the hiring freeze, concur, and post for the position. The motion was defeated by the following roll call: Yeas:

Weiner, Skryd. Nays: Chapman, Ramos, Phelan, Lovero, Erickson. Thereafter, Chapman made a motion, seconded by Ramos, to refer the matter to the Administration committee. The motion carried by a voice vote. Thereafter, a request was made to have the Police Chief and Human Resource director, present at a closed Administration committee meeting.

32. The City Attorney submitted a Resolution holding Harmless the State of Illinois pursuant to all Right-Of-Way construction permits issued by the Illinois Department of Transportation in the City of Berwyn. Thereafter, Skryd made a motion, seconded by Chapman, to concur, and Adopt the Resolution as submitted. The motion carried by a unanimous roll call vote.
33. The City Attorney submitted a Resolution to continue participating in the Suburban Tree Consortium for FY 2007. Thereafter, Skryd made a motion, seconded by Chapman, to concur, and Adopt the Resolution as submitted. The motion carried by a unanimous roll call vote.
34. The City Attorney submitted an agreement regarding the E 9-1-1 Fee Remittance Acknowledge between Vonage and the City of Berwyn. Thereafter, Lovero made a motion, seconded by Erickson, 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.
35. The City Attorney submitted a proposed Parking Lease agreement with Citizens Bank. Thereafter, Lovero made a motion, seconded by Skryd, to approve the amendment of page two (2) be included. The motion carried by a voice vote. Thereafter, Lovero made a motion, seconded by Weiner, to concur and approve the agreement as amended and to also include Depot District events to be held at said location. The motion carried by a unanimous roll call vote.
36. The Computer Services director submitted a communication requesting the approval of RFP for City Council Audio/Visual Renovation. Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
37. The Finance director submitted a communication regarding a request to dispose of City equipment, CRT monitors. Skryd made a motion to accept the matter as informational. After discussion, the motion was withdrawn. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a unanimous roll call vote.

38. The Public Works director submitted bid results and award for landscape services for the Ogden Avenue TIF. Thereafter, Chapman made a motion, seconded by Ramos, to concur, not to accept the unsealed bid from Paneda's landscaping for "non compliance" and to award the contract to Bernhard and Sons Landscaping for a monthly charge of \$2,000. The motion carried by a unanimous roll call vote.
39. The Public Works director submitted bid results and award for landscape services for the Cermak Road TIF. Thereafter, Lovero made a motion, seconded by Skryd, to concur, not to accept the unsealed bid from Paneda's landscaping for "non compliance" and to award the contract to B. Davids Landscaping for a total charge of \$34,680. The motion carried by a unanimous roll call vote.
40. The Public Works director submitted bid results and award for landscape services for the Depot District TIF. Thereafter, Chapman made a motion, seconded by Skryd, to concur, not to accept the unsealed bid from Paneda's landscaping for "non compliance" and to award the contract to B. Davids Landscaping for a monthly charge of \$5,350. The motion carried by a unanimous roll call vote.
41. The Public Works director submitted a request for payment for the 2006 CDBG sidewalk improvements #05-003, Engineer's Payment Estimate No.2 in the amount of \$63,793.03 to Suburban Concrete, Inc. Thereafter, Lovero made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote.
42. The Building director submitted a communication requesting to lift the hiring freeze and to advertise for an Illegal Apartment inspector. Thereafter, Skryd made a motion, seconded by Weiner, to concur, waive the hiring freeze and advertise for the position. The motion carried by a unanimous roll call vote.
43. Ramos made a motion, seconded by Weiner, to approve items on the Consent agenda except for items K-5 and K-6. The motion carried by a voice vote. Consent Agenda items K-1 through K-4
K-1-Budget Chairman-Payroll- May 5, 2007, \$735,935.69
K-2-Budget Chairman-Payables-May 8, 2007, \$450,977.96
K-3-Building Director-Building permits issued during April, 2007
K-4-Collector-Business Licenses issued during April, 2007
The motion to concur, approve for payment, accept as informational, by Omnibus Vote.

44. Item K-5 of the Consent agenda regarding the Avon Walk for Breast Cancer. After discussion, Skryd made a motion, seconded by Chapman, to deny the request. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Phelan, Lovero. Nays: Weiner, Erickson.
45. Item K-6 of the Consent Agenda regarding a request to grant permission to hold a STRIVE event in Berwyn on Saturday, May 12, 2007. After discussion, Chapman made a motion, seconded by Skryd, to approve as amended with certain stipulations made that No Funds would be approved by the City of Berwyn, the facilitators are required to return all filled trash bags to the Public Works department, and that no Door to Door solicitation is allowed. The motion carried by a unanimous roll call vote.
46. The Mayor announced a Committee of the Whole, as previously called, for Tuesday, May 15, 2007 at 6:00 p.m. and to add Debt Restructure to the agenda. Weiner made a motion, seconded by Skryd, to concur. The motion carried by a unanimous roll call vote.
The Mayor called for a Committee of the Whole for Tuesday, May 22, 2007 at 6:00 p.m. for referrals.
47. Alderman Lovero announced an Ordinance and Resolutions committee meeting, as previously called, for Wednesday, May 9, 2007 at 6:00 p.m., for referrals. Thereafter, Aldermen Lovero and Chapman agreed to meet with the Mayor regarding the 5th Ward appointment on Friday, May 11, 2007 at 8:00 a.m.
48. Alderman Skryd called for a Closed Administration meeting for Monday, May 21, 2007 at 6:00 for Personnel, and invited the Human Resource director and the Police Chief to attend.
49. There being no further business to come before the meeting, same was, after a motion by Phelan, seconded by Skryd, to adjourn at the hour of 10:23 p.m. The motion carried by a unanimous roll call vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk