

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
MAY 22, 2007

1. The Berwyn City Council meeting was called to order by Mayor O'Connor at 8:16 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, police, firefighters, paramedics, and for the deceased 5th Ward Alderman, Ben Brocato, and for his wife and family.
3. The Open Forum portion of the meeting was announced by the Mayor. Alderman Skryd read a letter from a resident distressed about the City's lack of communication with residents and commented on the disturbances constantly occurring at Bocado's Bar on Ogden Avenue. Alderman Ramos reminded all to attend the Memorial Day Parade and the International Food Fest to be held on Saturday, May 27, 2007. Aldermen questioned and discussed Tree trimming in non contracted areas of Berwyn. Alderman Phelan questioned why the Barber shop at 2114 Oak Park Avenue was being allowed in the Cermak Overlay district and questioned what happened to the ordinance pertaining to it. The Mayor responded that it was still with Odelson & Sterk.
4. The minutes of the regular Berwyn City Council and the Committee of the Whole held on May 8, 2007 were presented. Skryd made a motion, seconded by Chapman, to approve the Council minutes as amended and to change item #23 to read Chapman also stated "not to allow fence to be erected to the front of the building". The motion carried by a unanimous roll call vote.
5. The Berwyn Development Corporation submitted a communication regarding David Rendon, Café Depot, 6950 Windsor Avenue, Commercial Loan application. Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve as submitted in an amount not to exceed \$40,000. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Phelan, Lovero. Nays: Weiner, Erickson.
6. The Mayor submitted a communication regarding the appointment of Maureen Brocato as 5th Ward alderman. Skryd made a motion, seconded

by Weiner, to concur and approve the appointment. After discussion, the motion was defeated by the following roll call: Yeas: Ramos, Weiner, Skryd. Nays: Chapman, Phelan, Lovero, Erickson.

7. The Mayor submitted a communication regarding the increase in salary for the Computer Director (IT), Jim Frank, in the amount of \$72,500. Skryd made a motion, seconded by Lovero, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
8. The Mayor submitted a communication regarding Temporary Appointments. Lovero made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
9. A deferred communication regarding the construction at 6448 W. 26th Place, release on work stoppage. Skryd made a motion, seconded by Lovero, to suspend the rules and bring forth item J-4 as germane and vote on J-4 only. The motion carried by a voice vote. J-4 is communication from the City Attorney regarding JRK settlement agreement. Skryd made a motion, seconded by Chapman, to excuse Alderman Lovero from the vote. The motion carried. Thereafter, Skryd made a motion, seconded by Weiner, to concur and approve as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Erickson. Excused: Lovero.
10. Alderman Lovero submitted a communication requesting the installation of a traffic sign for a "Hearing Impaired Child" at 1801 Wisconsin. Thereafter, Lovero made a motion, seconded by Skryd, to concur and approve as submitted and to authorize the Public Works department to install said sign. The motion carried by a unanimous roll call vote.
11. Alderman Phelan submitted a communication requested the installation of a stop sign at the intersection of 18th and Scoville. After discussion, Phelan made a motion, seconded by Lovero, to concur and approve as submitted and to authorize the Public Works department to install said sign. The motion carried by a unanimous roll call vote.
12. Alderman Phelan submitted a communication regarding a former employee lawsuit. Thereafter, the Mayor requested the communication to be read into the record. After discussion, Erickson made a motion, seconded by Phelan, to accept the matter as informational. The motion carried by a voice vote.

13. Alderman Erickson submitted a communication regarding a policy to consider the Personal Needs of Berwyn Residents regarding sidewalk repairs. Thereafter, Erickson made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
14. Alderman Erickson submitted a communication regarding an amendment to the Ethics ordinance. After discussion, Erickson made a motion, seconded by Chapman, to refer the matter to the Fire and Police committee. The motion carried by a unanimous roll call vote.
15. Alderman Erickson submitted a communication regarding outstanding invoice from the Law Firm of Ancel & Glink. After discussion, Erickson made a motion, seconded by Phelan, to concur and approve for payment in the amount of \$3,200. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Phelan, Lovero, Erickson. Nays: Weiner.
16. The Committee of the Whole submitted a communication regarding referral item #31 dated April 24, 2007, regarding the increase of fines associated with False Alarms, and recommended, that the fines be increased as recommended by Chief Kushner, and to refer the matter to the Ordinance and Resolutions committee for the drafting of an amendment. Skryd made a motion, seconded by Chapman, to concur and refer the matter to the Ordinance and Resolutions committee. The motion carried by a voice vote.
17. Weiner made a motion, seconded by Skryd, to suspend the rules and bring forth item I-11 and I-12 to be germane to I-9. The motion carried by a voice vote. Item I-11 is an ordinance from the Ordinance and Resolutions committee entitled:

AN ORDINANCE AMENDING THE GENERAL OFFENSES CODE OF THE CITY OF BERWYN REGARDING POSSESSION OF CANNABIS

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

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

AN ORDINANCE AMENDING THE TRAFFIC CODE OF THE CITY OF BERWYN REGARDING PENALTIES AND FINES

Thereafter, Lovero made a motion, seconded by Weiner, to concur and Adopt the ordinance as amended and to authorize the corporate authorities

to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero, Erickson. Nays: Phelan.

19. The Ordinance and Resolutions committee submitted a communication and ordinance regarding 6 foot fences. The ordinance is entitled:

ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN REGARDING THE REGULATION OF FENCES

Thereafter, Lovero made a motion, seconded by Weiner, to concur and approve as submitted and to refer the matter to the City Clerk to schedule a Public Hearing for June 12, 2007 at 5:45 p.m. The motion carried by unanimous roll call vote.

20. The Administration committee submitted a communication regarding the Police department Building Custodian/Janitor department reorganization. Thereafter, Skryd made a motion, seconded by Lovero, to concur and approve on face as amended to read, "Police department maintenance" and to waive the hiring freeze. The motion was defeated by the following roll call: Yeas: Weiner, Skryd, Lovero. Nays: Chapman, Ramos, Phelan, Erickson. Thereafter, Alderman Erickson asked to reconsider his vote. Skryd made a motion, seconded by Lovero, to allow Erickson to reconsider his vote. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Lovero, Erickson. Nays: Chapman, Phelan. After further discussion, Erickson made a motion, seconded by Skryd, to reconsider vote and change to Aye. After further discussion, the motion was withdrawn for reconsideration. The communication stands as defeated.
21. The Administration committee submitted a communication regarding Building department reorganization. Skryd made a motion, seconded by Weiner, to withdraw the communication. The motion carried.
22. The Police Chief submitted a communication proposing the increase in Handicap parking violation fines. Thereafter, Weiner made a motion, seconded by Lovero, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
23. The Berwyn Police department submitted a request for a handicap sign for Saul Posillas, 1830 Lombard. Skryd made a motion, seconded by Chapman, to override the recommendation of the investigating officer and grant permission and to refer to Public Works to install said sign. The motion carried by a unanimous roll call vote.

24. The Law department submitted a agreement with Berwyn Center, L.L.C. regarding Superblock-Temporary roof repairs. Lovero made a motion, seconded by Erickson, to concur and approve as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
25. The City Attorney and the Finance director submitted a Resolution declaring the City's intent to borrow for the debt. The Resolution is entitled:
A REOLUTION OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, DECLARING THE INTENTION OF THE CITY COUNCIL TO ISSUE GENERAL OBLIGATION BONDS AND PROVIDING THE PARAMETERS FOR SUCH ISSUANCE
Weiner made a motion, seconded by Skryd, to concur and approve the Resolution as submitted. The motion was defeated by the following roll call: Yeas: Weiner, Skryd. Nays: Chapman, Ramos, Phelan, Lovero, Erickson. Thereafter, Lovero made a motion, seconded by Ramos, to concur and approve as amended striking "**vehicles**" from the list of Public Works Projects. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero. Nays: Phelan, Erickson.
26. The Building director submitted a request for the building repairs at the Central Fire department, be awarded to Staalsen Construction in the total amount of \$33,354. Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
27. The Building director submitted a communication requesting the waiving of the bidding process, for emergency repairs to the City Hall rooftop Air Conditioning Unit. Skryd made a motion, seconded by Chapman, to concur and waive the bidding process and request the building director to solicit 3 quotes for cost repairs and authorize the building director to make said repairs. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero, Erickson. Nays: Phelan.
28. The Collector submitted a communication requesting the relocation of Realty Value Consultants, from 6615 Cermak Road, to 6915 Cermak Road. Lovero made a motion, seconded by Skryd, to concur and approve as submitted. Thereafter, Lovero made a motion, seconded by Weiner, to amend the motion to concur, approve, and to waive the variance procedure. The motion carried by a unanimous roll call vote.
29. The President of the Kiwanis Club of Berwyn submitted a communication requesting Kiwanis Gardens be established on the grounds of the Berwyn

Public Library. After discussion, Chapman made a motion, seconded by Erickson, to concur. The motion carried by a unanimous roll call vote.

30. The Library director submitted a communication requesting to replace a Library Assistant I for the Circulation department. Thereafter, Chapman 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.
31. The Public Works director submitted a communication requesting the award of contract for Engineering Services for CDBG sidewalk program to Frank Novotny and Associates. Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
32. Phelan made a motion, seconded by Chapman, to suspend the rules, and bring forth item K-2 from the Consent Agenda. The motion carried. Thereafter, Phelan made a motion, seconded by Chapman, to remove item #332179 from the Payables and vote separately. The motion carried by a voice vote. Thereafter, Phelan made a motion, seconded by Erickson, to deny payment to Stewart Title Company in the amount of \$125,000. The motion was defeated by the following roll call: Yeas: Chapman, Phelan, Erickson. Nays: Ramos, Weiner, Skryd, Lovero. Thereafter, Skryd made a motion, seconded by Chapman, to approve the payables as submitted. The motion carried by a unanimous roll call vote.
33. The Consent Agenda items K-1, K-3, and K-4 were presented.
 - K-1 The Budget Chairman submitted the Payroll for May 16, 2007 in the amount of \$820,778.81.
 - K-3 Block party for the 3100 block of Euclid on August 18, 2007
 - K-4 Block party for the 1300 block of Gunderson on June 2, 2007Ramos made a motion, seconded by Skryd, to concur, approve for payment, grant permission. The motion carried by an Omnibus vote.
34. The Mayor called a Committee of the Whole for Tuesday, June 12, 2007 at 6:00 p.m. for referrals.
35. Alderman Skryd called an Administration meeting for Monday, June 11, 2007 at 6:00 p.m. for referrals.
36. Alderman Lovero called a Public Hearing for Tuesday, June 12, 2007 at 5:45 p.m. regarding the Fence ordinance.

37. A Public Hearing was announced for Tuesday, July 10, 2007 at 5:45 p.m. regarding the Depot District Overlay ordinance.
38. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Erickson, to adjourn at the hour of 9:30 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk