

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

REVISED
MINUTES
BERWYN CITY COUNCIL
DECEMBER 9, 2008

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:02 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero, Erickson.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the safety of our armed forces, police, firefighters, and paramedics.
3. The Open Forum portion of the meeting was announced. Officers John O'Halloran and Louis Mazza, police union representatives, presented a formal grievance and provided aldermen and clerk with same.
4. The minutes of the regular City Council meeting held on November 25, 2008 and the minutes of the Committee of the Whole meetings held on November 24th, and 25th, 2008 were presented. Thereafter, Lovero made a motion, seconded by Erickson, to approve as submitted. The motion carried by a unanimous roll call vote.
5. The Berwyn Development Corporation submitted a TIF application for LaNotte Café. Tony Griffin of the BDC reviewed cost associated with construction. Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve as submitted in an amount not to exceed \$63,012.50. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Skryd, Day, Phelan, and Lovero. Nays: Weiner, Erickson.
6. Chapman made a motion, seconded by Lovero, to suspended the rules and bring forth item I-1. The motion carried. Item I-1 is a deferred communication from Alderman Chapman regarding the LaNotte remodel project, specifically, a handicap accessibility ramp on the exterior of the building. Thereafter, Chapman made a motion, seconded by Lovero, to grant permission and refer the matter to the Law department and suggested a Hold Harmless Agreement should be enacted. Thereafter, Attorney Bruen suggested having an ordinance to enact. Thereafter, the motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Phelan, and Lovero. Nays: Weiner, Erickson.

7. The Berwyn Development Corporation submitted a communication regarding a TIF application for Friendly Tap and Horrorbles, 6731-33 Roosevelt Road. Thereafter, Erickson made a motion, seconded by Lovero, to concur and approve as submitted in an amount not to exceed \$13,210. The motion carried by a unanimous roll call vote.
8. The Berwyn Development Corporation submitted a communication requesting a Commercial Loan approval for Westside Multimedia, 7023 Roosevelt Road. Thereafter, Erickson made a motion, seconded by Skryd, to concur and approve as submitted in an amount not to exceed \$54,000. The motion carried by a unanimous roll call vote.
9. The Berwyn Development Corporation submitted a communication regarding Artspace Phase II approval. Erickson made a motion to deny the request. The motion failed for lack of a second. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Phelan, and Lovero. Nays: Erickson.
10. The Berwyn Development Corporation submitted a communication regarding Material Testing approval for the Parking structure. Thereafter, Erickson made a motion, seconded by Chapman, to concur and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
11. A deferred communication from the Mayor regarding Snow plowing. Thereafter, Erickson made a motion, seconded by Weiner, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
12. The Mayor submitted a communication regarding the 2009 City of Berwyn budget. Thereafter, Erickson made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
Note: The City of Berwyn 2009 Proposed Budget may be viewed by visiting the Clerk's page on the City's website @ [http://Berwyn-il.gov/pdf/Clerk/Proposed 2009 Budget-Draft.pdf](http://Berwyn-il.gov/pdf/Clerk/Proposed%202009%20Budget-Draft.pdf).
13. The Mayor submitted a communication regarding an amended Main Street contract for 2009. Thereafter, Erickson made a motion to deny. After discussion, the motion to deny was withdrawn. After further discussion, Erickson made a motion, seconded by Weiner, to accept the matter as informational. The motion carried by a voice vote.

14. The Mayor submitted a communication regarding eCivis Grant software. Thereafter, Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth item J-2 and mark as germane. The motion carried by a voice vote. J-2 is a communication from the law department and an attached copy of the eCivis Grant contract. Thereafter, Skryd made a motion, seconded by Chapman, to concur and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
15. The Mayor submitted a communication regarding the Ethics Commission. Thereafter, Erickson made a motion, seconded by Phelan, to concur in the appointment of Ray Fron, Wayne Parthun and Jaime Flores to serve on the Ethics Commission effective December 9, 2008. The motion carried by a unanimous roll call vote.
16. The Mayor submitted a communication regarding Land Acquisition. Thereafter, Erickson made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
17. The Clerk submitted a communication with an attached ordinance entitled:

AN ORDINANCE ESTABLISHING A DUE PROCESS PROCEDURE FOR THE TERMINATION OF WATER AND SEWER SERVICE AND AMENDING SECTION 1048.13 OF THE BERWYN CITY CODE

Thereafter, Erickson made a motion, seconded by Skryd, to concur and adopt the ordinance as presented. After discussion, the motion by Erickson, and seconded by Chapman was amended, to concur as amended on face and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

18. Alderman Chapman submitted a communication regarding 3831 Oak Park Avenue, alley and garage. After discussion, Chapman made a motion, seconded by Skryd, to concur and to authorize the public works to cold patch the square as a temporary fix and authorize public works to finalize the repairs in spring. The motion carried by a unanimous roll call vote.
19. Chapman made a motion, seconded by Lovero, to suspend the rules and bring forth item I-6. The motion carried. Item I-6 is a communication from the Fire and Police Committee regarding a meeting held on December 1, 2008 at 6:30 p.m. the subject of which was the grievance filed on behalf of Officer Tom Skryd. After discussion, Erickson made a motion, seconded by Weiner, to concur with the recommendation of the Committee. The

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

20. Alderman Chapman submitted a communication regarding the Sergeants Promotion. Thereafter, Chapman made a motion, seconded by Weiner, to defer the matter for 2 weeks. The motion carried by a voice vote.
21. Alderman Weiner submitted a communication regarding Alley Safety Guardrails at 6905 Stanley Avenue. Thereafter, Weiner made a motion, seconded by Phelan, to refer the matter to the public works department and the traffic engineer. The motion carried by a voice vote.
22. Alderman Erickson submitted a communication regarding Economic and Taxes "A Tax Freeze", requesting the communication be read into the record. Thereafter, Erickson made a motion, seconded by Weiner, to be accepted as informational. The motion carried by a voice vote.
23. Alderman Chapman made a motion, seconded by Skryd to suspend the rules and bring forth items J7 and J8. Motion carried. J7 a communication from the finance director with an attached ordinance entitled:

A SUPPLEMENTAL TIF APPROPRIATION ORDINANCE FOR THE 2008 FISCAL YEAR FOR THE CITY OF BERWYN, COOK COUNTY, ILLINOIS.

Thereafter, Lovero made a motion, seconded by Chapman to concur, adopt the ordinance as presented and authorize the corporate authorities to affix their signature thereto. Motion carried by a voice vote.

24. The Finance director submitted a communication and an attached ordinance entitled:

A SUPPLEMENTAL GENERAL FUND APPROPRIATION ORDINANCE FOR THE 2008 FISCAL YEAR IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Lovero made a motion, seconded by Day to concur, adopt the ordinance as presented and authorize the corporate authorities to affix their signature thereto. The motion carried by a unanimous roll call vote.

25. The Finance director submitted a communication regarding the 2008 Tax Levy to be collected in 2009. Thereafter, Wiener made a motion, seconded by Skryd to concur. And authorize a Legal Notice for a Public Hearing to be held on December 23, 2008 at 6:00PM for a proposed Tax Levy for 2008. The motion carried by unanimous roll call vote.

26. Chapman made a motion, seconded by Lovero to suspend the rules and bring forth item J-11. Motion carried. Item J-11 is a request from the Library Director to resume Sunday Library hours and to authorize staff levels to accommodate. Followed by discussion, Chapman made a motion, seconded by Skryd to concur, waive the hiring freeze, and hire the necessary staff. Motion failed on the following call of the roll. Yeas: Chapman, Skryd, Lovero. Nays: Ramos, Weiner, Day, Phelan, Erickson.
27. The Berwyn Historic Preservation Commission submitted a communication regarding Marik Property and requests for SCI (Illinois Services Inc.) to submit a position statement in relation to the nomination of the Marik Property as a historical Landmark. Thereafter, the Mayor recognized Rebecca Houze of the Berwyn Historic Preservation Commission who also requested an additional 30 days for the BHPC to reply. Thereafter, Skryd made a motion, second by Weiner to concur and grant permission. The motion carried by a unanimous roll call vote.
28. A deferred communication from the Berwyn Fire Chief regarding Hire of Probationary Firefighter. Thereafter, Erickson made a motion, seconded by Lovero to concur and grant permission and hire a Probationary Firefighter off the current eligibility list. The motion carried by a unanimous roll call vote.
29. Law Department submitted a communication regarding the settlement of case number 08 C 1124 (U.S District Court for the Northern District of Illinois). Thereafter, Erickson made a motion, seconded by Weiner to concur and approve as submitted. The motion carried by a unanimous roll call vote.
30. Law Department submitted a communication regarding Sister City Ordinance. Thereafter, Skryd made a motion, seconded by Weiner to defer the matter for two weeks. The motion carried by a voice vote.
31. Public Works Director submitted a communication regarding the 2009 MFT Authorization, Resolution and Maintenance Agreement. Thereafter, Erickson made a motion, seconded by Weiner to concur and adopt the Resolution entitled:
**A RESOLUTION FOR MAINTENANCE AND STREETS AND HIGHWAYS
MFT SECTION 09-00000-00GM.**

The motion carried by unanimous roll call vote. Thereafter, Erickson made a motion, seconded by Weiner, to concur and accept the Maintenance Engineering Agreement as submitted and to authorize the corporate

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

32. Public Works Director submitted a communication regarding an Engineering Agreement for Security Upgrades with CDM. After discussion, Erickson made a motion, seconded by Day to concur and approve as submitted in amount not to exceed One Hundred Forty Six Thousand Nine Hundred Twenty Six Dollars (\$146,926.) to be paid from the capitol bond fund. The motion carried by a unanimous roll call vote.
33. H.R. Director submitted a communication regarding Health Insurance Bid Proposals. Lovero made a motion, second by Skryd to accept the matter as informational. The motion carried by a voice vote.
34. Community Outreach Director submitted a communication regarding City Newsletter for approval. Thereafter, Erickson made a motion, seconded by Day to concur and approve as submitted. The motion carried by the following call of roll. Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero, and Erickson. Nay: Phelan.
35. Consent Agenda items were submitted. Thereafter, Ramos made a motion, seconded by Erickson to concur. After further discussion motion was withdrawn. Thereafter, Skryd made a motion, seconded by Chapman to suspend the rules and bring forth item K-2. K-2 is A communication from the Budget Chairman regarding the December 9, 2008 payables for \$1,505,953.01. Motion carried by a voice vote. Thereafter, Alderman Skryd made a motion, seconded by Chapman to remove check number 340272 of page 7, for Folgers Flag and Decoration and to approve the remaining payables of December 9, 2008. The motion carried by a unanimous roll call vote.
36. The remaining items on the consent agenda, K-1, K-3 and K-4 were submitted:
 - K-1 – The budget chairman submitted the payroll for December 9, 2008 in the total amount of \$832,612.06
 - K-3 – The building director submitted the Building and Local Improvement Permits for the month of November, 2008.
 - K-4 - The collector submitted a communication regarding the list of businesses which have been issued licenses for the month of November, 2008.Thereafter, Ramos made a motion, seconded by Erickson to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.

Berwyn City Council Meeting
December 9, 2008

37. The Mayor call for a Committee of the Whole meeting for December 23, 2008 to convene after the scheduled Public Hearing at 6:00 p.m.
38. Administration Committee meeting as previously called for December 16, 2008 6:00 p.m.
39. There being no further business to come before the meeting, same was, after a motion by Skryd, seconded by Erickson, to adjourn at the hour of 9:24 p.m. The motion carried.

Respectfully submitted,

Thomas J. Pavlik
City Clerk