

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
FEBRUARY 12, 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, paramedics, and for the officials and officers injured or killed in the Kirkwood, Missouri Council incident.
3. The Open Forum portion of the meeting was announced. There being no speakers, the Open Forum was declared closed.
4. The minutes of the regular Berwyn City Council and the Committee of the Whole meetings held on January 22, 2008 were submitted. Thereafter, Alderman Day made a motion to reconsider his vote on item #8 of the Council minutes to change his vote from Nay to Aye, the motion was seconded by Erickson and carried by the following roll call: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero, Erickson. Thereafter, discussion ensued how this affected the ordinance entitled: "The Indemnification of Officers and Employees" that was referred to the Committee of the Whole at the January 8, 2008 City Council meeting. Thereafter, Ramos made a motion, seconded by Skryd, to approve the Council minutes as amended and the Committee of the Whole minutes of January 22, 2008. The motion carried by a unanimous voice vote.
5. A motion by Chapman, seconded by Erickson, to suspend the rules and bring forth item J-10. The motion carried. J-10 is an ordinance entitled:

AN ORDINANCE AMENDING THE BERWYN CODE TO RESTORE THE POSITION OF ASSISTANT FIRE CHIEF IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Chapman made a motion, seconded by Erickson, to concur and **adopt** as amended and to further amend on face to change "Director of

Computer Operations” to “Director of Information Technology” and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

6. Skryd made a motion, seconded by Erickson, to suspend the rules and bring forth items F-1, F-2, and F-3. The motion carried. F-1 is a communication from the Mayor regarding the appointment of Deputy Chief Dennis O'Halloran to the position of Fire Chief effective March 12, 2008. Thereafter, Skryd made a motion, seconded by Lovero, to concur and approve the appointment as submitted and to accept the matter as informational. The motion carried by a voice vote. Thereafter, Clerk Pavlik administered the oath of office and the Mayor welcomed the new Fire Chief.
7. The Mayor submitted a communication regarding the appointment of Deputy Chief Frank Simek to the position of Assistant Fire Chief effective March 12, 2008. Thereafter, Erickson made a motion, seconded by Ramos to concur and approve the appointment as submitted and accept the matter as informational. The motion carried by a voice vote. Thereafter, Clerk Pavlik administered the oath of office and the Mayor welcomed the new Assistant Fire Chief.
8. The Mayor submitted a communication regarding the appointment of Lieutenant Richard Swade to the position of Deputy Fire Chief effective February 18, 2008. Thereafter, Erickson made a motion, seconded by Ramos, to concur and approve as submitted and to accept the matter as informational. The motion carried by a voice vote. Thereafter, Clerk Pavlik administered the oath of office and the Mayor welcomed the new Deputy Fire Chief.
9. The Mayor submitted a communication regarding the 16th Street firehouse bids with a recommendation from our Fire Department and Wold Architects to award the bid to American Demolition Corporation in the amount of \$79,800. Thereafter, Weiner made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote.
10. The Berwyn Development Corporation submitted a communication regarding the Ogden Avenue Light Pole signage hardware with the recommendation to approve \$8,650 for twenty-five (25) light pole brackets. Thereafter, Chapman made a motion, seconded by Weiner, to concur and approve for payment. The motion carried by a unanimous roll call vote.

11. The Berwyn Development Corporation submitted a communication regarding a TIF application for Martin Jamine, 2138 Highland Avenue for a maximum of 50% of the construction cost in the amount of \$36,529.50. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve for payment. The motion carried by a unanimous roll call vote with Erickson abstaining.
12. The Berwyn Development Corporation submitted a communication requesting approval for the 2008 annual events. Thereafter, Mayor O'Connor questioned the Depot District Oktoberfest and the hours of operation and submitted a letter from the Condo Association, 3303 Grove. Thereafter, Chapman reported that two representative from the Depot District met with the Condo Association this evening and stated that the Association had no problems with Oktoberfest and questioned why the Mayor is questioning city services from the police, fire, and public works to support. After discussion, Chapman made a motion, seconded by Lovero, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
13. The Mayor submitted a communication regarding the City Attorney Appointment of the law firm of Odelson & Sterk after accepting the resignation of our former attorney Bruce Bonebrake. Thereafter, Weiner made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by the following roll call: Ramos, Weiner, Skryd, Day, Lovero. Nays: Phelan, Erickson. Present: Chapman. During the call of the roll, Chapman questioned replacing Odelson & Sterk with Bruce Bonebrake and requested a cost analysis of having Bruce Bonebrake as City Attorney. Lovero requested same.
14. The Mayor submitted a communication regarding the appointment of Nora Laureto to the Community Relations Commission for a three year term expiring October 11, 2010. Thereafter, Erickson made a motion, seconded by Chapman, to concur and accept the matter as informational. The motion carried by a voice vote.
15. The Mayor submitted a request to hire a Foreclosure Clerk. Thereafter, Weiner made a motion, seconded by Ramos, to defer and refer the matter to the Committee of the Whole. The motion carried by a voice vote.
16. The Mayor submitted a communication regarding the proposed ordinance amendment for the Indemnification of Officers and Employees. Thereafter, the Mayor presented a cost analysis in the amount of \$742.50 for legal fees paid to the law firm of Odelson & Sterk for the creation of the ordinance. After discussion, Chapman made a motion, seconded by Erickson, to

withdraw the communication. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Day, Phelan, Lovero, Erickson. Nay: Ramos.

17. A deferred communication from the City Clerk regarding the approval of closed Committee of the Whole minutes of October 23, 2007, November 13, 2007, December 11, 2007, and December 18, 2007 as reviewed in close session. Thereafter, Ramos made a motion, seconded Erickson, to concur and approve as submitted. The motion carried by a voice vote.
18. A deferred communication from the City Clerk regarding the approval of closed Committee of the Whole minutes of January 7, 2008 and January 8, 2008. Ramos made a motion, seconded by Erickson, to concur and approve as submitted. The motion carried by a voice vote with Phelan abstaining.
19. The Zoning Board of Appeals submitted a Resolution and Ordinance for property of Oswald Castro, 2911-15 S. Harlem Avenue. Thereafter, Weiner made a motion, seconded by Skryd, to concur and **adopt** the Resolution and Ordinance as presented 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, Lovero. Nays: Day, Erickson.
20. The Zoning Board of Appeals submitted a Resolution and Ordinance for the property of Manuel Rivera, 2332 S. Wesley Avenue. Thereafter, Weiner made a motion, seconded by Lovero, to concur and **adopt** the Resolution and Ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Day, Phelan, Lovero. Nays: Ramos, Erickson.
21. A deferred communication from Alderman Phelan regarding "Questionable Conduct". Thereafter, Phelan made a motion, seconded by Chapman, to defer the matter for two (2) weeks. The motion carried by a voice vote.
22. A deferred communication from Alderman Phelan regarding "Formality". Thereafter, Phelan made a motion, seconded by Chapman, to defer the matter for two (2) weeks. The motion carried by a voice vote.
23. A deferred communication from Alderman Erickson regarding a New Animal ordinance. Alderman Erickson stated that the ordinance would be ready for the next City Council meeting and that same would be attached to the

communication. Thereafter, Erickson made a motion, seconded by Day, to defer the matter for two (2) weeks. The motion carried by a voice vote.

24. Budget Chairman Weiner submitted a communication requesting the approval of the 2008 Budget. After discussion, Weiner made a motion, seconded by Day, to concur and approve as submitted. The motion carried by the following roll call: Yeas: Weiner, Skryd, Day, Erickson, O'Connor. Nays: Chapman, Ramos, Phelan, Lovero.
25. Alderman Lovero submitted a communication regarding a "City Administrator". After discussion, Lovero made a motion, seconded by Weiner, to amend on face and refer the matter to the Committee of the Whole. The motion carried by a voice vote with Alderman Ramos voicing a contrary nay.
26. Alderman Ramos submitted a communication regarding a Recreation Committee meeting. Thereafter, Ramos made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
27. The Mayor submitted a communication regarding the property located at 2532 Euclid Avenue with the Zoning Board of Appeals Resolution and Ordinance attached. Thereafter, Lovero made a motion, seconded by Chapman, to concur and to **adopt** the Resolution and Ordinance as presented, and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Phelan, Lovero. Nays: Weiner, Erickson.
28. The Public Works director submitted a communication regarding the proposed purchase of a Street Sweeper. Thereafter, Erickson made a motion, seconded by Ramos, to concur and approve for payment in an amount not to exceed \$154,257. The motion carried by a unanimous roll call vote.
29. The Public Works director submitted a communication regarding the emergency purchase of Plows for Snow removal. Thereafter, Erickson made a motion, seconded by Ramos, to concur and approve for payment in an amount not to exceed \$16,980. The motion carried by a unanimous roll call vote.
30. The Public Works director submitted a communication regarding the proposed change to the City Tree Removal Ordinance. Thereafter, Lovero made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.

31. The Law firm of Odelson & Sterk submitted the Superblock Redevelopment Agreement and attached Ordinance entitled:

AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, APPROVING A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS AND BERWYN CENTER, LLC TO INDUCE THE DEVELOPMENT OF 6801-6821 WEST CERMAK ROAD, BERWYN, ILLINOIS

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

32. The Law Department submitted an ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 420.01 (F)(27) OF THE CODIFIED ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, TO REVISE THE DISTANCE TO PARK OR STAND A VEHICLE TO TWENTY (20) FEET OF A CROSSWALK AT AN INTERSECTION

Thereafter, Skryd made a motion, seconded by Weiner, to concur and **adopt** the ordinance as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

33. The Law Department submitted an ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 420.05 OF THE CODIFIED ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, TO REVISE THE DISTANCE TO PARK OR STAND A VEHICLE TO TWENTY (20) FEET OF A CROSSWALK AT AN INTERSECTION

After discussion, Lovero made a motion, seconded by Skryd, to concur and **adopt** the ordinance as amended on face to read "Mark Crosswalk". The motion carried by a unanimous roll call vote.

34. The Building director submitted a communication regarding a sign request for Zacatacos, 3837 Harlem Avenue. Thereafter, Chapman made a motion, seconded by Ramos, to concur and approve as submitted. The motion carried by a unanimous roll call vote.

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35. The City Collector submitted a communication regarding the amendment of Chapter 1258.13, Special Regulations for the Retail Overlay (RO) District. After discussion, Weiner made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
36. The Fire Chief submitted a communication regarding the sale of surplus Fire Department equipment in the amount of \$4,800. Thereafter, Erickson made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.
37. Consent agenda items K-1 through K-6 were submitted:
 - K-1 The Budget chairman submitted the payrolls for January 23, 2008 in the amount of \$813,674.29 and for February 6, 2008 in the amount of \$834,512.98, and Sick Day buybacks for January 31, 2008 in the amount of \$585,219.98.
 - K-2 The Budget chairman submitted the payables for February 12, 2008 in the amount of \$870,114.12.
 - K-3 Alderman Ramos submitted a handicap request for Judith Krystofczyk, 3338 S. Lombard Avenue, with the recommendation to **withdraw**.
 - K-4 Alderman Ramos submitted a handicap request for Manuel Medina, 3211 S. Scoville Avenue, with the recommendation to **approve**
 - K-5 The building director submitted the building and local improvements permits issued in January, 2008.
 - K-6 The collector submitted the business licenses issued in January, 2008. Thereafter, Ramos made a motion, seconded by Skryd, to concur and approve by Omnibus Vote Designation
38. The Mayor requested an additional Committee of the Whole for Monday, February 18, 2008, for referrals. Lovero by Erickson, to concur. The regular Committee of the Whole was called for Tuesday, February 26, 2008 at 6:00 p.m. for referrals.
39. Alderman Ramos announced a Recreation committee meeting, as previously called, for Wednesday, February 13, 2008 at 6:00 p.m. at the Pav YMCA to discuss recreation issues.
40. Alderman Skryd called an Administration committee meeting for Monday, February 25, 2008 at 6:30 p.m. for referrals.
41. Alderman Lovero called an Ordinance and Resolutions committee meeting for Monday, February 25, 2008 at 6:00 p.m. for referrals.

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42. 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 9:21 p.m. by a unanimous voice vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk