

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
FEBRUARY 26, 2008

1. The regular meeting of the Berwyn 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, Day, Phelan via phone, Lovero, Erickson. Thereafter, Lovero made a motion, seconded by Erickson, to allow remote participation by Alderman Phelan. The motion carried by a voice vote. Thereafter, the Mayor declared a quorum present and the meeting duly convened for further business.
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 deceased JoAnn Cimaglia, mother of Watch Commander, Mike Cimaglia, and for the speed recovery of Library Director, Bill Hensley.
3. The Open Forum portion of the meeting was announced. Sandy Van Goethem, 7109 Riverside Drive praised the 16th Street theater and noted the play bill with the article regarding the NBPD theater group, also requested a book store in Berwyn-Alderman Ramos spoke on the Illinois Housing Authority Homeowners outreach seminar being held on Saturday, March 1, 2008 at Morton College.
4. The minutes of the regular City Council meeting held on February 12, 2008 and the Committee of the Whole meetings held on of February 11 and 12, 2008 were submitted. Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a voice vote.
5. Lovero made a motion, seconded by Chapman, to suspend the rules and bring forth items I-9 and I-10. The motion carried. I-9 is a communication from the Board of Fire and Police Commissioners regarding firefighter promotions of the following to the rank of Lieutenant, Anthony J. Laureto, James Wojnarowski, and John M. Woods. Clerk Pavlik administered the oath of office. Thereafter, Lovero made a motion, seconded by Skryd, to concur and accept the matter as informational with congratulations. The motion carried by a voice vote.
6. The Board of Fire and Police Commissioners submitted a communication regarding the appointments of Ryan Hickerson, Jr., Michael Laureto, and

Allen Connelly, as Probationary Firefighters effective March 1, 2008. Clerk Pavlik administered the oath of office. Thereafter, Lovero made a motion, seconded by Erickson, to concur and accept the matter as informational with congratulations. The motion carried by a voice vote.

7. The bid proposals for the Berwyn Fire department vehicle were presented. Skryd made a motion, seconded by Weiner, to grant permission to Corporate authorities and any other interested parties to proceed to the Conference room to open, tabulate, and return same to the Council Chambers for reading. The motion carried by a voice vote.
8. Erickson made a motion, seconded by Lovero, to suspend the rules and bring forth item I-2. The motion carried. I-2 is a deferred communication from Alderman Phelan regarding "Formality" with the attached communication requesting that Alderman Phelan be able to obtain his choice of Counsel, Miller, Shakman & Beem to represent his defense in the matter entitled: Waguespack v. Matlak, 07 L 3680. Thereafter, Lovero made a motion, seconded by Chapman, to excuse Alderman Phelan from any vote on the matter. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Excused: Phelan. After discussion, Erickson made a motion, seconded by Lovero, to concur and approve as amended. The motion carried by the following roll call: Yeas: Chapman, Skryd, Day, Lovero, Erickson. Nays: Ramos, Weiner. Excused: Phelan.
9. A deferred communication from the Mayor regarding Foreclosure Clerk. Thereafter, Skryd made a motion, seconded by Chapman, to defer for two weeks. The motion carried by a voice vote.
10. The bid tabulations for the Fire department vehicle were returned for reading. Bids were received from RO/Seagrave, Dundee, IL in the amount of \$425,758, Jimmy Diesel, LaGrange, IL in the amount of \$434,974, Lakeland Fire Equipment, LLC, Wauconda, IL in the amount of \$420,930, and Pierce Manufacturing, Inc., Appleton, WI. in the amount of \$412,000. Thereafter, Lovero made a motion, seconded by Chapman, to refer the matter to the Fire department for recommendation back to City Council. The motion carried by a voice vote.
11. The Mayor submitted a Resolution regarding the Berwyn Playground Recreation Commission's Annual Baseball Parade on Saturday, April 26, 2008 was submitted. Thereafter, Ramos made a motion, seconded by Erickson, to concur, adopt the Resolution as presented. The motion carried by a voice vote.

12. The Mayor submitted a communication regarding an Organizational Study. Skryd made a motion, seconded by Chapman, to defer the matter for two weeks. The motion carried by a voice vote.
13. The Mayor submitted a communication regarding Smoking Law Violations. After discussion, Skryd made a motion, seconded by Chapman, to refer the matter to the Law firm of Odelson & Sterk for further research. The motion carried by a voice vote.
14. The Mayor submitted a communication from the Police Union to the Berwyn Life of Liberty Suburban News regarding a news article. The Mayor recognized police Officer Louis Mazza, who read a letter into record and presented to the Clerk for the record. Thereafter, Skryd made a motion, seconded by Weiner, to accept the matter as informational. The motion carried by a voice vote.
15. The Mayor submitted a communication regarding the letter of retirement from CDBG director, Denis Duffy. Thereafter, Skryd made a motion, seconded by Weiner, to accept the matter as informational with good luck. The motion carried by a voice vote.
16. The Mayor submitted an ordinance entitled:
AN ORDINANCE AMENDING PART 6 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS ESTABLISHING CLOTHING DONATION CONTAINER REGULATIONS
After discussion, Lovero made a motion, seconded by Skryd, to concur and **adopt** the ordinance as amended. The motion carried by a unanimous roll call vote.
17. The Mayor submitted a communication regarding a contract with Energy Choices, Inc., Highland Park. Thereafter, Lovero made a motion, seconded by Ramos, to concur and to authorize the corporate authorities to enter into an agreement for 1 year. The motion carried by a unanimous roll call vote.
18. The Mayor submitted a communication regarding the appointment of Joseph Ducibella to the 911 Board. Thereafter, Skryd made a motion, seconded by Erickson, to concur and approve the appointment as submitted. The motion carried by a voice vote.
19. The Mayor submitted a communication regarding the City of Berwyn v. IAFF Local 506 settlement in the amount of \$160,000. Thereafter, Lovero made a motion, seconded by Weiner, to concur and approve for payment. The

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

20. The Mayor submitted a communication regarding the demolition of the Sears Home at 6501 W. 27th Place. After discussion, Skryd made a motion, seconded by Chapman, to allow the demolition request to stand as previous approved by the Berwyn City Council with an 8-0 vote, but not to be issued for the period of three months to allow the Berwyn Historical Society to relocate the building. The motion carried by a unanimous roll call vote. Thereafter, Skryd made a motion, seconded by Lovero, to concur and waive ordinance 1486.06, section (a) (2) for the property at 6501 W. 27th Place. The motion carried by unanimous roll call vote.
21. The Mayor, Liquor Commissioner, submitted a communication regarding the Notification of Written Orders entered at the Conclusion of Liquor License Hearings proceedings. Thereafter, Skryd made a motion, seconded by Erickson, to accept the matter as informational. The motion carried by a voice vote.
22. A deferred communication from Alderman Phelan regarding Questionable Conduct. Thereafter, Phelan made a motion, seconded by Day, to defer the matter for two weeks. The motion carried by the following roll call: Yeas: Chapman, Skryd, Day, Phelan, Lovero, Erickson. Nays: Ramos, Weiner.
23. A deferred communication from Alderman Erickson regarding a New Animal ordinance. Thereafter, the Mayor allowed Alderman Erickson to read an introductory letter into record. Thereafter, Alderman Erickson presented his proposal to Council for the record. Erickson made a motion, seconded by Phelan, to refer the matter to Fire and Police committee and to the Committee of the Whole generally for further discussion. The motion carried by a voice vote.
24. Alderman Chapman submitted a request for two (2) "Loading Zone" signs at 6822-24 Windsor Avenue. Thereafter, Chapman made a motion, seconded by Lovero, to concur and authorize Public Works to install said signs. The motion carried by a unanimous roll call vote.
25. Alderman Chapman submitted a request for two (2) "No Loading Zone" signs at 3303 S. Grove Avenue. After discussion, Chapman made a motion, seconded by Skryd, to concur and to authorize Public Works to install said signs. The motion carried by a unanimous roll call vote.
26. Alderman Skryd submitted a communication regarding a Smoke-Free Workplace policy. After discussion, Skryd made a motion, seconded by

Lovero, to concur and approve as submitted and to refer to the Human Resource department. The motion carried by a unanimous roll call vote.

27. Alderman Skryd submitted a communication regarding the City of Berwyn sign ordinance. After discussion, Skryd made a motion, seconded by Chapman, to defer the matter for two weeks. The motion carried by a voice vote.
28. Alderman Skryd submitted a communication regarding the Cermak Road Retail Overlay ordinance with proposed amendments. After discussion, Skryd made a motion, seconded by Lovero, to refer the matter to the law firm of Odelson & Sterk requesting a recommendation on how to waive the Zoning Board of Appeals through City Council. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero. Nays: Day, Erickson.
29. A communication from the Recreation committee was submitted. Thereafter, Ramos made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
30. The Berwyn Historic Preservation Commission submitted a communication regarding the review of demolition permits by the Berwyn Historic Preservation Commission. After discussion, Skryd made a motion, seconded by Chapman, to refer the matter to the Berwyn Historic Preservation Commission and the law firm of Odelson & Sterk requesting an ordinance proposal to address the matter. The motion carried by a voice vote.
31. The Berwyn Historic Preservation Commission submitted a communication regarding the 16th Street Firehouse with recommendations. Thereafter, Skryd made a motion, seconded by Chapman, to refer the matter to the building department and the Berwyn Historic Preservation Commission. The motion carried by a voice vote.
32. The Law department submitted a communication regarding an Intergovernmental agreement with Morton College. Thereafter, Skryd made a motion, seconded by Day, to concur, 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.
33. The Law department submitted a communication requesting the removal of referral items from the Law department referral list. Skryd made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.

34. The Law department submitted a Resolution entitled:

A RESOLUTION OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REQUESTING THE SUPPORT OF TAXING DISTRICTS TO EXTEND THE LIFE OF THE AMENDED BERWYN THEATER TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA

Thereafter, Lovero made a motion, seconded by Skryd, to concur, **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.

35. The Finance director submitted a communication regarding a Personnel matter. Weiner made a motion, seconded by Chapman, to concur and approve as discussed in the closed Committee of the Whole. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Day, Lovero, Erickson. Nays: Ramos. Abstain: Phelan.

36. The Finance director submitted an ordinance entitled:

THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS FOR THE FISCAL YEAR 2008

Thereafter, Weiner made a motion, seconded by Skryd, to concur, **adopt** the ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Weiner, Skryd, Day, Phelan, Erickson. Nays: Chapman, Ramos, Lovero.

37. The Police Chief submitted a request that pay increases for Civilian Radio Operators be included in the 2008 Budget retro to January 1, 2008. Chapman made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.

38. The Berwyn Centennial Chairman submitted a Resolution regarding the Centennial Parade to be held on June 1, 2008. Thereafter, Lovero made a motion, seconded by Erickson, to concur and **adopt** the Resolution as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a voice vote.

39. The Berwyn Centennial Chairman submitted a request for city services for Centennial events. Thereafter, Lovero made a motion, seconded by Chapman, to concur and approve as amended to include all events to be approved generally. The motion carried by a unanimous roll call vote.

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40. The Berwyn Library submitted a request to fill a vacancy for Library Assistant I in the Circulation and Audio Visual departments. Thereafter, Chapman made a motion, seconded by Ramos, to waive the hiring freeze and concur. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Nays: Phelan.
41. The Consent agenda items K-1 through K-5 were submitted.
 - K-1 The Budget chairman submitted the payroll for February 20, 2008 in the total amount of \$975,377.02
 - K-2 The Budget chairman submitted the payables for February 26, 2008 in the total amount of \$1,323,713.39
 - K-3 Alderman Lovero submitted a handicap request for V. Sanchez, 6815 W. 21st Street with the recommendation to **approve**
 - K-4 Alderman Lovero submitted a handicap request for M. Dzien, 6815 W. 21st Street with the recommendation to **approve**
 - K-5 Alderman Lovero submitted a handicap request for M. Floress-Pineda, 2118 S. Kenilworth Avenue with a recommendation to **deny**

Ramos made a motion, seconded by Skryd, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.

42. The Mayor called an additional Committee of the Whole meeting for Wednesday, March 5, 2008 at 7:00 p.m. for referrals. Weiner by Lovero to concur.
The Mayor called for a Committee of the Whole for Tuesday, March 11, 2008 at 6:00 p.m. for referrals.
43. Alderman Skryd called an Administration committee meeting for Monday, March 10, 2008 at 6 p.m. for referrals.
44. Alderman Chapman called a Building, Zoning, and Planning committee meeting for Monday, March 10, 2008 at 7:30 p.m. for referrals.
45. 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 10:15 p.m. by voice vote.

Respectfully submitted,

Thomas J. Pavlik, City Clerk

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