

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
JULY 22, 2008

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:21 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero, Erickson. Absent: none.
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. Mayor O'Connor informed all, of the City Council rule regarding agenda items, which does not allow anyone to speak in Open Forum regarding any item on the Council agenda, and stated that the rule will be enforced, due to the volume of residents in attendance, regarding the Methadone Clinic. The Mayor recognized Sandy Van Goethem of 7124 Riverside Drive, who spoke on the 16th Street Theater and the financial difficulties because a Grant was not received and requested contributions and support from all, the Mayor recognized Mick Ross of the AFSCME union who read a statement into the record regarding prescription drug coverage co-pay and requested to provide relief for lower income employees and also spoke regarding the RFP on the agenda and feared the RFP for insurance broker would be counter productive and is in support of current Blue Cross/Blue Shield insurance broker and stated that he was dropping the appeal regarding the FOIA about same, Alderman Skryd questioned the Mayor about the possibility of changing the location for tonight's meeting due to the volume of people, to the community center, the Mayor said that it was considered, but feared notification would have been difficult and most would not have known about the change.
4. The minutes of the regular Berwyn City Council meeting of July 8, 2008 were submitted. Thereafter, Chapman made a motion, seconded by Erickson, to reconsider item #21, of the July 8, 2008 minutes. The motion to reconsider carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Phelan, Lovero, Erickson. Nays: none. Abstain: Ramos, Day. Thereafter, Chapman made a motion, seconded by Erickson, to amend the motion in item #21, the motion to amend the motion carried by a unanimous roll call vote. Thereafter, Chapman made a motion, seconded

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by Erickson, to deny the request of Conditional Use to be granted in a C-2 District regarding the Bobby Buonauro Clinic, 3245 Grove Avenue. The motion to deny, carried by a unanimous roll call vote.

5. The minutes of the regular Berwyn City Council meeting and the Committee of the Whole of July 8, 2008 were submitted. Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve the minutes as amended and to approve the Committee of the Whole minutes of July 8, 2008 as submitted. The motion carried by a voice vote.
6. Erickson made a motion, seconded by Lovero, to suspend the rules and bring forth item I-4. The motion carried. Item I-4 is a communication from the Fire and Police Commissioners regarding the appointment of Carl J. Reina, Jr. to the rank of Lieutenant. Thereafter, Lovero made a motion, seconded by Skryd, to concur and approve the appointment as submitted. Thereafter, Clerk Pavlik administered the oath of office and the Mayor and City Council extended congratulations.
7. Chapman made a motion, seconded by Skryd, to suspend the rules and bring forth item G-1. The motion carried. Item G-1 is a communication from the City Clerk regarding Dollars for Scholars recipients. Thereafter, Clerk Pavlik announced the 2008, Fall Scholarships winners as follows: Alexander Grozdic, graduate of Morton West High School, and Elizabeth McKinley, graduate of Fenwick High School, and presented an Award Certificate to Alexander Grozdic, who was in attendance. Thereafter, Clerk Pavlik congratulated the recipients and acknowledged the BDC Depot District Events committee for their continued support and the Berwyn Township, Board of Trustees for their \$500 grant for the 2008 scholarship and the pledge of \$500 for the 2009 school year. Thereafter, Lovero made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
8. Weiner made a motion, seconded by Chapman, to suspend the rules and bring forth item F-8. Item F-8 is a communication from the Mayor regarding the appointment of Rebecca Houze to the Berwyn Historic Preservation Commission. Thereafter, Weiner made a motion, seconded by Skryd, to concur and approve the appointment as submitted. The motion carried by a voice vote. Thereafter, the Mayor and Council recognized and congratulated Ms. Houze.
9. Weiner made a motion, seconded by Skryd, to suspend the rules and bring forth item J-7. The motion carried. Item J-7 is a communication from the Berwyn Park District requesting the installation of a wireless antennae facility at Proksa Park, located at the corner of 29th Place and Home

Avenue. Thereafter, Weiner made a motion, seconded by Erickson, to refer the matter to the Zoning Board of Appeals. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Day, Lovero, Erickson. Nays: Phelan.

10. Chapman made a motion, seconded by Lovero, to suspend the rules and bring forth item F-1 and to bring forth items J-3 and J-4 from the Berwyn Police department regarding "National Night Out" and "Take Back the Night Rally" and mark as germane. The motion carried. Item F-1 is a Proclamation from the Mayor recognizing "National Night Out" on Tuesday, August 5, 2008 to be held at the Morton West Stadium and fields supporting the 25th "Annual National Night Out event". Thereafter, Lovero made a motion, seconded by Skryd, to adopt the Proclamation as presented. The motion carried by a voice vote.
11. The Berwyn Development Corporation submitted a communication regarding the Cermak Road Median Construction. Thereafter, Skryd made a motion, seconded by Lovero, to concur and approve the attached change order in an amount not to exceed \$151,890. The motion carried by a unanimous roll call vote.
12. The Mayor submitted a communication regarding a parking plan at 32nd and Harlem Avenue. Thereafter, Chapman made a motion, seconded by Skryd, to defer the matter until the end of the meeting. The motion carried by a voice vote.
13. The Mayor submitted a communication regarding RFP for Health Insurance. After discussion, Erickson made a motion, seconded by Weiner, to concur and approve the RFP as amended and to seek bids for a 3 year insurance contract. The motion carried by a unanimous roll call vote.
14. The Mayor submitted a communication for a proposed Referendum from Alderman Erickson regarding a non-partisan election. After discussion, Erickson made a motion, seconded by Day, to concur and approve the proposed Referendum to be placed on ballot for a non-partisan election. The motion failed on the following roll call: Yeas: Weiner, Day, Erickson. Nays: Chapman, Ramos, Skryd, Phelan, Lovero. After further discussion, Lovero made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
15. The Mayor submitted a communication regarding Rain Barrels and a request to amend current ordinance. Thereafter, Erickson made a motion, seconded by Weiner, to refer the matter to the Law department. The motion carried by a voice vote with Phelan voicing a contrary nay.

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16. The Mayor submitted a communication regarding the Berwyn Development Corporation Mid Year Update, Special Committee of the Whole meeting to be held on Tuesday, July 29, 2008 at 7:30 p.m. at the Berwyn City Hall. Thereafter, Erickson made a motion, seconded by Skryd, to concur and approve the meeting as called and amend on face regarding time and location. The motion carried by a unanimous roll call vote.
17. The Mayor submitted a communication regarding the veto of Item I-6 and its germane items I-1, J-3, and G-3 at the July 8, 2008 City Council meeting which approved the reinstatement of laid off city employees. Thereafter, Lovero made a motion, seconded by Chapman, to override the Mayor's veto. The motion to override was defeated by the following roll call: Yeas: Chapman, Skryd, Phelan, Lovero. Nays: Ramos, Weiner, Day, Erickson, O'Connor.
18. The Mayor submitted a communication regarding Mailing equipment upgrade. Thereafter, Erickson made a motion to concur and approve as submitted. The motion failed for lack of a second. 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.
19. The Mayor submitted an ordinance to prohibit Methadone Clinics in Berwyn. Thereafter, Erickson made a motion, seconded by Weiner, to concur and to prepare an advisory referendum for the November, 2008 ballot to limit use regarding Medical Clinics and to refer the matter to the Law department for drafting. During the call of the roll, several questions and comments were submitted from the audience. After discussion, the Mayor cautioned the audience not to comment during the call of the roll. After order was restored by the Mayor, the motion carried by a unanimous roll call vote.
20. The Clerk submitted a communication requesting approval of closed Committee of the Whole minutes for June 10, 2008 and June 24, 2008 as reviewed in closed session on July 8, 2008. Thereafter, Ramos made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a voice vote.
21. Alderman Chapman submitted a communication regarding the reconsideration of item #21 of the City Council minutes of July 8, 2008, regarding the Bobby Buonauro Clinic. Thereafter, Chapman made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.

22. Alderman Skryd submitted a communication regarding a traffic control device at 26th Street and Scoville. After discussion, Skryd made a motion, seconded by Chapman, to concur and authorize the Public Works department to install signage to prohibit left turns at the intersection of 26th Street and Scoville as recommended by the Traffic Engineer. The motion carried by a unanimous roll call vote.

23. Alderman Lovero submitted an ordinance entitled:

AN ORDINANCE AMENDING THE TRAFFIC CODE OF THE CITY OF BERWYN, REGARDING PARKING RESTRICTIONS ON WENONAH AVENUE

Thereafter, Lovero made a motion, seconded by Skryd, to concur and **adopt** the ordinance as amended, section 484.02 (c) and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

24. A deferred communication from the Law department regarding the Parking ordinance. After discussion, Erickson made a motion, seconded by Day, to separate the ordinances and label "A", "B", "C", and "D". The motion carried by a voice vote.

Thereafter, ordinance "A" entitled:

AN ORDINANCE AMENDING CHAPTER 484 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING TEMPORARY VISITOR PARKING PASSES

Thereafter, Erickson made a motion, seconded by Day, to concur and **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: Chapman, Ramos, Skryd, Day, Phelan, Lovero, Erickson. Nays: Weiner.

25. A deferred communication from the Law department regarding the Parking ordinance "B" entitled:

AN ORDINANCE AMENDING CHAPTER 484.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING VISITOR PARKING PASSES

Thereafter, Erickson made a motion, seconded by Day, to concur and **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: Chapman, Ramos, Skryd, Day, Lovero, Erickson.
Nays: Weiner, Phelan.

26. A deferred communication from the Law department regarding the Parking ordinance "C" entitled:
AN ORDINANCE AMENDING CHAPTER 484 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING NO OVERNIGHT PARKING
- Thereafter, Erickson made a motion, seconded by Chapman, to concur and **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: Chapman, Weiner, Skryd, Day, Phelan, Lovero, Erickson. Nays: Ramos.
27. A deferred communication from the Law department regarding the Parking ordinance "D", School District and Church parking passes. After discussion, Lovero made a motion, to concur and adopt the ordinance as presented. After further discussion, the motion was withdrawn. Thereafter, Lovero made a motion, seconded Erickson, to refer the matter to the Law department to amend the ordinance Chapter 484.04(A). The motion carried by a voice vote.
28. The Police chief submitted a communication requesting hiring to fill vacancies created by resignations. After discussion, Erickson made a motion, seconded by Skryd, to waive the hiring freeze. The motion carried by a unanimous roll call vote. Thereafter, Erickson made a motion, seconded by Skryd, to concur and approve the hire of 2 candidates from the Lateral Hire List effective August 1, 2008. The motion carried by a unanimous roll call vote.
29. The Community Development director submitted a Resolution regarding the CDBG Ninth Year Action Plan. Thereafter, Erickson made a motion, seconded by Ramos, to concur and **adopt** the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Day, Phelan, Lovero, Erickson. Nays: Chapman.
30. The Centennial Chairman submitted a communication regarding Centennial volunteer omissions. Thereafter, Chapman made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.

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31. The Mayor submitted a communication regarding a parking plan at 32nd and Harlem Avenue. After discussion, Ramos made a motion, seconded by Chapman, to defer the matter for 3 weeks. The motion carried by a voice vote.

32. Consent Agenda items K-1 through K-16. After discussion, Erickson made a motion, seconded by Day, to suspend the rules and bring forth item K-5 from the consent agenda. The motion failed by the following roll call: Yeas: Day, Erickson. Nays: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero.
 - K-1 Budget chairman, payroll for July 9, 2008 in the amount of \$885,631.51
 - K-2 Budget chairman, payables for July 22, 2008 in the amount of \$1,970,662.42
 - K-3 The collector, business licenses issued during June, 2008
 - K-4 The building director, building permits issued June, 2008
 - K-5 Skryd, handicap request, R. Gilbert, 2812 Highland, **deny**
 - K-6 Lovero, handicap request, A. Bolwin, 1941 Kenilworth, **approve**
 - K-7 Firefighters Local 506 Muscular Dystrophy Drive-Saturdays in August
 - K-8 CBC Shoe Corporation, sidewalk sale, August 7th thru August 10th
 - K-9 Commodore Barry Post 256, annual picnic, August 9, 2008
 - K-10 1st Congregational Church, festival and car show, August 24, 2008
 - K-11 Block party, 3100 Wenonah Avenue, August 23, 2008
 - K-12 Block party, 1800 Home Avenue, August 16, 2008
 - K-13 Block party, 1600 Maple Avenue, August 3, 2008
 - K-14 Block party, 3200 Wisconsin Avenue, August 9, 2008
 - K-15 Block party, 2100 Cuyler Avenue, August 16, 2008
 - K-16 Block party, 3600 Maple Avenue, August 2, 2008Thereafter, Ramos made a motion, seconded by Skryd, to concur and approve the Consent Agenda by Omnibus Vote Designation. The motion carried by the following roll call vote. Yeas: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero. Nays: Erickson.

33. The Mayor announced the Committee of the Whole, as previously called, for Tuesday, July 29, 2008 at 7:30 p.m. at the Berwyn City Hall for the Berwyn Development Corporation presentation.
The Mayor called a Committee of the Whole for Tuesday, August 12, 2008 at 6:00 p.m. for referrals.

34. Skryd made a motion, seconded by Erickson, to recess the City Council meeting to go into Closed Executive session. The Mayor interjected and stated that the call of the Chair was not complete.

35. Alderman Phelan called a Public Works committee meeting for Monday, July 28, 2008 at 7 p.m. for referrals.

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36. Alderman Skryd called an Administration committee meeting for Thursday, July 31, 2008 at 5 p.m. for referrals
37. Ramos made a motion, seconded by Skryd, to go into Closed Executive Session of the City Council meeting to discuss contract negotiations at 9:50 p.m. The motion carried by a voice vote.
38. Ramos made a motion, seconded by Skryd, to reopen the City Council meeting at 10:55 p.m. The motion carried.
39. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Skryd, to adjourn at the hour of 10:55 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk