

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
AUGUST 12, 2008

1. The Berwyn City Council was called to order by Mayor O'Connor at 8:20 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Day, Phelan, Lovero, Erickson. Absent: Skryd. Thereafter, Chapman made a motion, seconded by Ramos, to excuse Alderman Skryd. The motion carried by a voice vote.
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 best wishes to the Olympians in China.
3. The Open Forum portion of the meeting was announced. The Mayor recognized resident Jose Ramirez of Wesley Avenue who complained that someone had parked in his handicapped spot and the lack of police response, Sandy VanGothem of Riverside Drive spoke on 3 topics, congratulating Aldermen Chapman, Skryd, Lovero, and Clerk Pavlik on their successful pool party; also spoke on the pot holes in her alley and public works not addressing the issue; and lastly, the library continuing summer hours throughout the year due to the lack staff associated with the layoffs, Jeff Stall of Home Avenue voiced concerns over false diplomas presented by some police officers, a resident of 6510 W. Ogden Avenue complained regarding the Multi Unit Housing ordinance and claimed that it targeted certain properties and was unconstitutional.
4. The minutes of the regular Berwyn City Council meeting held on July 22, 2008 along with the Special Committee of the Whole meetings of July 15, 2008 and July 16, 2008, the Committee of the Whole for July 22, 2008 and July 29, 2008 were presented. Thereafter, Erickson made a motion, seconded by Ramos, to concur and approve as submitted. The motion carried by a voice vote.
5. Erickson made a motion, seconded by Ramos, to suspend the rules and bring forth item F-8. The motion carried. F-8 is a communication from the Mayor regarding Comcast Care check presentation to Youth Crossroads. Thereafter, the Mayor recognized representatives from Comcast who presented a check to Youth Crossroads in the amount of \$2,000. Thereafter, Chapman made a motion, seconded by Ramos, to accept the

matter as informational with congratulations and thanks. The motion carried by a voice vote.

6. Lovero made a motion, seconded by Chapman, to suspend the rules and bring forth item I-5. The motion carried by a voice vote. I-5 is a communication from the Fire and Police Commissioners regarding the appointment of Brian Madden as probationary firefighter. Thereafter, Erickson made a motion, seconded by Lovero, to concur and approve as submitted. The motion carried. Thereafter, the Clerk administered the oath of office and the Mayor and Aldermen extended congratulations.
7. Chapman made a motion, seconded by Ramos, to suspend the rules and bring forth items J-10 and J-11. Item J 10 is a communication from the Finance director regarding the impact of Departmental Budget cuts for 2008. The motion carried by a voice vote. Thereafter, the Mayor recognized the Finance director, John Wysocki, who supplied an amended communication, see attached. Chapman questioned an open line of credit for the city. The Finance responded that it is in the application process and when completed, will present a copy to the Council for consideration. Thereafter, Lovero made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
8. Item J-11 is a communication from the Finance director regarding an analysis of the Parking Enforcement collections. After discussion, Lovero made a motion, seconded by Erickson, to accept the matter as informational. The motion carried by a voice vote.
9. Chapman made a motion, seconded by Erickson, to suspend the rules and bring forth item I-1. The motion carried by a voice vote. Item I-1 is a communication from Alderman Chapman regarding City Finances, Layoffs, and Mid Year Adjustments. Thereafter, Chapman reiterated the request for the information from the finance department and made a motion, seconded by Erickson, to concur with the request and refer the matter to the Finance department and to a Closed Committee of the Whole. The motion carried by a voice vote.
10. Day made a motion, seconded by Erickson, to suspend the rules and bring forth item F-9. The motion carried by a voice vote. Item F-9 is a communication from the Mayor regarding questionable diplomas. Thereafter, the Mayor requested the communication be read. After discussion, Lovero made a motion, seconded by Chapman, to waive reading. The motion failed by a voice vote. Thereafter, the Clerk read the communication into the record. Thereafter, Erickson made a motion,

seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.

11. Weiner made a motion, seconded by Chapman, to suspend the rules and bring forth item J-7. The motion carried by a voice vote. Item J-7 is a request from police chief to hire to fill vacancies created by resignations. Thereafter, Erickson made a motion, seconded by Ramos, to waive the hiring freeze, concur and approve as submitted. The motion carried by a unanimous roll call vote with Skryd excused.
12. The Berwyn Development Corporation submitted a request for a TIF application for Nicholas and Angela DiBrizzi, 7005 W. Roosevelt Road. After discussion, Erickson made a motion, seconded by Weiner, to refer the matter to the BDC and the Law department to renegotiate an agreement. The motion carried by a voice vote.
13. Erickson made a motion, seconded by Weiner, to suspend the rules and bring forth item J-6 and mark as germane to F-1. Item J-6 is an agreement regarding 32nd and Harlem parking improvement agreement with Lea, Ltd and an ordinance attached entitled:

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A PARKING IMPROVEMENT AGREEMENT AT 32ND & HARLEM WITH LEA, LTD

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

14. The Mayor submitted a communication regarding a proposed referendum, Alderman Erickson. After discussion, Chapman made a motion, seconded by Lovero, to defer for 2 weeks. The motion carried. After further discussion, Erickson made a motion, seconded by Day, to approve a public hearing on the matter. The motion to authorize posting and publishing of the public hearing carried by a unanimous roll call vote with Skryd excused, with date to be determined at the end of the meeting.
15. The Mayor submitted a communication regarding National Night Out and recognized all those who helped to make the event successful. Thereafter, Phelan made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.

16. The Mayor submitted a communication regarding the Berwyn Development Corporation 2008 mid year Status report. Thereafter, Erickson made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.
17. The Mayor submitted a communication regarding the block party on 2100 block of Lombard. After discussion, Erickson made a motion, seconded by Day, to approve as submitted. The motion carried by a voice vote. Thereafter, the Clerk interjected stating that this should not have been approved in arrears because the proper application submission with resident signatures along with the approval from Cicero was not received by the Clerk's office. The Clerk went on to say that signatures or the approval from Cicero authorizing the block party was not submitted to either Berwyn or Cicero and that the residents of the 2100 block of Lombard misrepresented themselves, not only to the Clerk's office, but to the public works department, the resident alderman, the mayor and the police department, when they stated that they had obtained a permit for the east side of Lombard from the Town of Cicero with the Clerk's office and the police department confirming same was not filed with the Town of Cicero. The Clerk stated that he would deny further permits requested per ordinance 1020.99 Section (e) Violations. Thereafter, a comment from the Mayor invoked debate from the Clerk, and the Mayor asked for order to be restored.
18. Erickson made a motion, seconded by Day, to suspend the rules and bring forth item J-8 and make germane to F-6. The motion carried. Item F-6 is a communication from the Mayor regarding the Snow Emergency plan. Thereafter, Erickson made a motion, seconded by Day, to concur and approve as amended and to authorize the public works director to seek an RFP and to include a change for street sweeping signs. The motion carried by a unanimous roll call vote with Skryd excused.
19. The Mayor submitted a communication regarding the Mail Machine upgrades. After discussion, Erickson made a motion, seconded by Day, to concur and approve as submitted. The motion carried by the following roll call: Yeas: Ramos, Weiner, Day, Erickson. Nays: Chapman, Phelan, Lovero. Excused: Skryd.
20. Alderman Ramos submitted a request for a block party for the 3300 and 3400 blocks of Highland. Thereafter, Ramos made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a voice vote. Thereafter, Alderman Ramos invited all elected officials and

residents to join the 13th Annual Larry Menchetti Memorial Block party on August 31, 2008.

21. Alderman Lovero submitted a communication regarding the Oak Park Regional Housing Center. After discussion, Erickson made a motion, seconded by Lovero, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
22. Alderman Lovero submitted a communication regarding Non-Union Furloughs. Erickson 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 Law department submitted a communication regarding the settlement of case #06 L 1186 (Circuit Court of Cook County). Thereafter, Erickson made a motion, seconded by Weiner, to concur and approve for payment in an amount not to exceed \$200,000. The motion carried by a unanimous roll call vote with Skryd excused.
24. The Law department submitted and ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 484.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING SCHOOL DISTRICT AND CHURCH SPECIAL VISITOR PARKING PASSES

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

25. The Law department submitted and ordinance entitled:

AN ORDINANCE DESIGNATING AS A HISTORIC LANDMARK PROPERTY KNOWN AS THE BERWYN MUNICIPAL BUILDING, 6700 WEST 26TH STREET, PURSUANT TO THE REQUIREMENTS OF CHAPTER 1820 OF THE BERWYN CITY CODE

Thereafter, Erickson made a motion, seconded by Weiner, 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, Weiner, Day, Phelan, Lovero, Erickson. Nays: Phelan. Excused: Skryd.

26. The Law department submitted and ordinance entitled:

AN ORDINANCE AMENDING THE BUILDING AND HOUSING CODE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS ESTABLISHING DEMOLITION DELAY PROCEDURES FOR THE PURPOSES OF ENCOURAGING HISTORIC PRESERVATION

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, Ramos, Weiner, Day, Phelan, Lovero, Erickson. Nays: Phelan. Excused: Skryd.

27. The law department submitted job description Resolutions. After discussion, Chapman made a motion, seconded by Lovero, to defer the matter for 2 weeks. The motion carried by a voice vote.
28. The Public Works director submitted a communication requesting approval to distribute an RFP for Holiday Decorations. After discussion, Chapman made a motion, seconded by Weiner, to concur and approve as amended on face. The motion carried by a unanimous roll call vote with Skryd excused.
29. The Traffic Engineer submitted a communication regarding a temporary barrier at Riverside Drive alley between Grove and Oak Park Avenues. Thereafter, Weiner made a motion, seconded by Erickson, to concur and approve as submitted. The motion carried by a unanimous roll call vote with Skryd excused.
30. The Traffic Engineer submitted a communication regarding the traffic flow change at Irving School. Thereafter, Erickson made a motion to defer. After discussion, the motion was withdrawn. Thereafter, Chapman made a motion, seconded by Ramos, to concur and approve as submitted and to refer to the Law department to draft an ordinance to enact. The motion carried by a unanimous roll call vote with Skryd excused.
31. The Law department submitted the Metra Platform Lease Agreement and the submission of a revised agreement between the City of Berwyn and BNSF Company. Thereafter, Erickson made a motion, seconded by Day, to concur and approve as amended. The motion carried by a unanimous roll call vote with Skryd excused.

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32. Erickson made a motion, seconded by Weiner, to suspend the rules and bring forth item K-6 from the Consent agenda. The motion carried by the following roll call: Yeas: Weiner, Day, Phelan, Erickson. Nays: Chapman, Ramos, Lovero. Excused: Skryd. K-6 is a handicap request from A. Dzambaizi, 1910 Wenonah. After discussion, Lovero made a motion, seconded by Ramos, to concur with the recommendation of the investigating officer and deny the request. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Day, Phelan, Lovero. Nays: Erickson. Excused, Skryd.
33. Consent Agenda K-1 through K-5 and K-7 through K-11 were submitted.
K-1-Budget Chairman submitted payroll for July 23, 2008 in the amount of \$913,946.29, and August 6, 2008 in the amount of \$851,698.46
K-2-Budget Chairman submitted the payables for August 12, 2008 in the amount of \$1,836,399.83.
K-3-Collector submitted the business licenses issued in July, 2008
K-4-Building director submitted the building permits issued in July, 2008
K-5-Day, handicap request from M. Magbanua, 1431 Ridgeland, **Approve**
K-7-Erickson, handicap request from V. Duff, 1231 Kenilworth-**Approve**
K-8-Block party, 1900 Scoville, August 23, 2008
K-9-Block party, 2300 Highland, August 23, 2008
K-10-Block Garage sale, 3700 and 3800 Ridgeland & Cuyler, on September 6, 2008
K-11-Dedicated to Youth Ministries, sidewalk sale on August 15th & 16th
- Ramos made a motion, seconded by Lovero, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.
34. The Mayor scheduled a Public Hearing, to discuss the Resolution for referendum for non-partisan elections, to be held on Monday, August 25, 2008 at 7:00 p.m. in the Berwyn City Council Chambers.
35. The Mayor called for a Committee of the Whole on Tuesday, August 26, 2008 at 6:00 p.m. for referrals.
36. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Day, to adjourn at the hour of 9:55 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik, City Clerk

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