

**MICHAEL A. O'CONNOR**  
**MAYOR**

**THOMAS J. PAVLIK**  
**CITY CLERK**

**MINUTES**  
**BERWYN CITY COUNCIL**  
**OCTOBER 28, 2008**

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:13 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Day, Phelan, Lovero, Erickson. Absent: Skryd.
2. Chapman made a motion, seconded by Phelan, to excuse Alderman Skryd. The motion carried by a voice vote.
3. 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 resident Marge Raichart.
4. The Open Forum portion of the meeting was announced. The Mayor recognized a resident at 3827 Maple who thanked Alderman Chapman and the Public Works department for tree removal and for Alderman Chapman's attention to the Resident only Parking on the 3800 block of Maple. Resident on the 3400 block of Oak Park Avenue asked for assistance in combating vandalism to autos in the area and to trim the tree for better lighting.
5. The minutes of the regular meeting held on October 14, 2008 and the Committee of the Whole held on October 7, 2008 were presented. Lovero made a motion, seconded by Day, to concur and approve as presented. The motion carried by a voice vote.
6. Item D-1-Bid openings for Oak Park Lighting Improvements were presented. Thereafter, Lovero made a motion, seconded by Erickson, to suspend the rules and bring forth item D-2, to authorize both. The motion carried. Item D-2, bid opening for the 2008 MFT Maintenance Tree Trimming, Phase. Thereafter, Lovero made a motion, seconded by Chapman, to authorize the corporate authorities, engineer, and any other interested parties to proceed to the Conference room to open, tabulate and return to the Council Chambers for reading. The motion carried by a voice vote.
7. The Berwyn Development Corporation submitted a communication regarding the TOD Final Draft report. Thereafter, Lovero made a motion,

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

8. A deferred communication from the Mayor regarding Liquor License changes. Chapman made a motion, seconded by Weiner, to suspend the rules and bring forth item F-2 as germane. The motion carried by a voice vote. The Mayor then stated that there may be a need for an increase in the C-1 Class for the new Tai Restaurant that is set to open on Roosevelt Road and 1 other restaurant on Cermak Road. Thereafter, Erickson made a motion, seconded by Phelan, to approve as submitted. The motion failed on the following roll call: Yeas: Day, Phelan, Erickson. Nays: Chapman, Ramos, Weiner, Lovero. Excused: Skryd. After further discussion, Weiner made a motion, seconded by Erickson, to approve as amended and to increase the number of C-1 licenses from 8 to 10 and for the B-3.4 to remain at 2. The motion carried by the following roll call: Yeas: Weiner, Day, Phelan, Lovero, Erickson. Nay: Chapman, Ramos. Excused: Skryd.
9. The Mayor submitted a communication regarding the liquor license for 6500 W. 16<sup>th</sup> Street. After discussion, Lovero made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
10. The Mayor submitted a communication regarding the Building department's new vehicles. After discussion, Lovero made a motion, seconded by Chapman, to refer the matter to the State's Attorney and the Attorney General's office to review documentation of the purchases as it applies to separating out the vehicles into two separate purchases to avoid the bid process and Council approval. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Day, Phelan, Lovero. Nays: Erickson. Excused: Skryd. Thereafter, Lovero made a motion, seconded by Chapman, to reimburse the Bond Fund from the General Fund for the purchases. The motion carried by the following roll call: Yeas: Chapman, Ramos, Phelan, Lovero. Nays: Weiner, Day, Erickson. Excused: Skryd.
11. The Mayor submitted a request from the North Berwyn Park District to rename the Cuyler Avenue spray pool "Ben Brocato Playground" Thereafter, Erickson made a motion, seconded by Lovero, to concur. The motion carried by a unanimous roll call vote with Skryd excused.
12. The Mayor submitted a request from the North Berwyn Park District to erect a sign at the corner of 16<sup>th</sup> Street and Elmwood to advertise events being held at the Berwyn Cultural Center. After discussion, Lovero made a motion, seconded by Erickson, to excuse Alderman Phelan from the vote. The motion carried by a voice vote. Thereafter, Erickson made a motion,

seconded by Lovero, to concur and approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Day, Lovero, Erickson. Nays: none. Excused: Skryd, Phelan.

13. The Mayor submitted a request from the North Berwyn Park District for funding for the 16<sup>th</sup> Street Theater. After discussion, Lovero made a motion, seconded by Erickson, to excuse Alderman Phelan from the vote. The motion carried by a voice vote. Thereafter, Erickson made a motion, seconded by Weiner, to concur and approve for payment in an amount not to exceed \$10,000. After further discussion, the motion and seconded were amended to also refer to the Budget Committee to include in the 2009 Budget. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Day, Lovero, Erickson. Nays: none. Excused: Skryd, Phelan.
14. The Mayor submitted a communication regarding the bills removed from payable list at the October 14, 2008 City Council meeting. Thereafter, Lovero made a motion, seconded by Erickson, to concur and approve for payment. The motion carried by a unanimous roll call vote with Skryd excused.
15. The Mayor submitted a Proclamation proclaiming November 1, 2008 as William Hlavacek, Jr. Day in Berwyn, in recognition of his being honored with the 2008 Charles E. Piper Award of Excellence. Thereafter, Lovero made a motion, seconded by Chapman, to concur and **adopt** the Proclamation as presented. The motion carried by a unanimous roll call vote with Skryd excused.
16. Bid Tabulations for the 2008 MFT Maintenance Tree Trimming, Phase 2 were returned for reading. Bids were submitted by Winkler's Tree & Landscaping, Inc for \$103,203.35, Landscape Concepts Management for \$112,141. Thereafter, Erickson made a motion, seconded by Weiner, to concur and award the bid to the lowest bidder and to refer the matter to the city engineer contingent per review and recommendation.
17. Bid Tabulations for the Oak Park Avenue Lighting Improvements were returned for reading. Bids were submitted by H & H Electric for \$773,820.60, J.F. Edwards Construction for \$824,954.43, Utility Dynamics Corp for \$901,333, Elmund & Nelson for \$818,316, Lyons Electric for \$747,652, Gaffney's P.M.I. for \$760,664, and Meade Electric, Inc for \$831,315. Thereafter, Lovero made a motion, seconded by Phelan, to concur and award the bid to the lowest bidder and to refer the matter to the city engineer contingent per review and recommendation. The motion carried by a unanimous roll call vote with Skryd excused.

18. The Clerk submitted a communication on behalf of Dedicated to Youth Ministries requesting the waiver of building permit fees. After discussion, Chapman made a motion, seconded by Phelan, to deny. The motion failed by the following roll call: Yeas: Chapman, Phelan, Lovero. Nays: Ramos, Weiner, Day, Erickson. Excused: Skryd. After further discussion, Ramos made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole for further discussion. The motion carried by a voice vote with Phelan voicing a contrary nay.
19. The Zoning Board of Appeals submitted a Resolution and Ordinance for Homewerks-Voigt Development LLC, 6547-49 Roosevelt Road. 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.
20. Alderman Chapman submitted a communication requesting 24 hour Residential Parking on the 3800 block of Maple Avenue. After discussion, Chapman made a motion, seconded by Lovero, to concur and approve 24-7 Residential Parking only, but not requiring it to be a Superzone. The motion carried by the following roll call: Yeas: Chapman, Ramos, Day, Phelan, Lovero, Erickson. Nays: Weiner. Excused: Skryd.
21. Alderman Ramos submitted a request from Emmanuel Bible Church for a Handicap Drop off Zone. After discussion, Ramos made a motion, seconded by Day, to refer the matter to the law department to research I.D.O.T. regulations. Thereafter, the motion was withdrawn. After further discussion, Ramos made a motion, seconded by Chapman, to defer the matter for 2 weeks. The motion carried by a voice vote.
22. Alderman Weiner submitted a communication regarding our current conflict of interest ordinance passed in 1958 (Code Section 2.9). After discussion, Weiner made a motion, seconded by Lovero, to refer to the Law department. The motion carried by a voice vote.
23. Alderman Erickson submitted a communication regarding the Skryd IMPA Union Grievance. After discussion, Erickson made a motion to refer to the Law department. The motion failed for a lack of a second. After further discussion, Chapman made a motion, seconded by Ramos, to refer the matter to the Police and Fire Committee to call a meeting for a hearing on the grievance. The motion carried by a voice vote with Erickson voicing a contrary nay.

24. Alderman Erickson submitted a communication regarding the dissolution of the Main Street Program. After discussion, Erickson made a motion, seconded by Ramos, to defer the matter for 2 weeks. The motion carried by a voice vote with Alderman Chapman voicing a contrary nay.
25. A deferred communication from the Finance director regarding the issuance of a \$2 million line of credit. After discussion, Ramos made a motion, seconded by Day, to defer the matter for 2 weeks. The motion carried by a voice vote.
26. A deferred communication from the Finance director regarding the Chicago Water Rate Increase ordinance. After discussion, Ramos made a motion, seconded by Chapman, to defer the matter for 2 weeks. The motion carried by a voice vote.
27. A deferred communication from the Fire Chief regarding the Demolition of 1535 Clarence Avenue. After discussion, Chapman made a motion, seconded by Lovero, to defer the matter for 2 weeks and requested a copy of the demolition contract to be attached. The motion carried by a voice vote.
28. The Public Works director submitted a communication requesting the waiver of bids and award repair of the Boom Truck to Runnion Equipment Company in the amount of \$14,837.79. After discussion, Weiner made a motion, seconded by Erickson, to concur and approve for payment. After further discussion the motion was withdrawn. Thereafter, Weiner made a motion, seconded by Chapman, to defer and refer the matter to the Public Works department for clarification of total amount. The motion carried by a voice vote.
29. Consent agenda items K-1 through K-3 were submitted.  
K-1-Budget Chairman, payroll for October 15, 2008 in the amount of \$892,030.61  
K-2-Budget Chairman, payables for October 28, 2008 in the amount of \$1,462,631.96  
K-3-Dedicated to Youth Ministries-Outreach Halloween Event on October 31, 2008 from noon to 11:00 PM  
  
Ramos made a motion, seconded by Weiner, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.
30. The Mayor called for a Committee of the Whole meeting for Thursday, November 6, 2008 at 6:00 pm. for referrals. Lovero by Weiner to concur.

BERWYN CITY COUNCIL  
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A Committee of the Whole was called for Tuesday, November 11, 2008 at 6:00 p.m. for referrals.

30. There being no further business before the meeting, same was, after a motion by Ramos, seconded by Chapman, to adjourn at the hour of 9:30 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk