



Berwyn City Council Regular Meeting
November 10, 2020 at 8:00 PM

C-1
 ITEM NO. _____
 DATE 11-24-20
 DISPOSITION Approved as submitted

Clerk's Note: Governor Pritzker's continuing emergency Executive Orders allow the suspension of "in-person attendance" by elected officials and limit the number of people allowed to congregate in public places due to the Covid-19 pandemic. The City of Berwyn uses best efforts to comply with the Governor's Orders and the spirit of the Open Meetings Act. The City Council has taken the following measures to provide residents with the ability to observe and participate in the meeting through a live video stream:

- The City posts Meeting Notices and Agendas on its website and in City Hall with directions on how the public may view meetings, participate in public meetings, and address the City Council during Open Forum.
- The City posts directions to the public on its Face Book page on how they may participate and or view the public meeting.
- City staff live-stream the meeting on the City of Berwyn website (www.berwyn-il.us), Berwyn Facebook page, and YouTube during the City Council meeting. The video stream / audio is recorded and available to the public.

A. Roll Call, Pledge of Allegiance, and Moment of Silence:

Mayor Lovero, present in chambers, called the meeting to Order at 8:00 p.m. Aldermen Lennon, Ramirez, Reardon, Fejt, Santoy, Ruiz, Avila and Nowak attended in person and responded "Present" on the call of the roll. Treasurer Miranda participated remotely. The attendees recited the Pledge of Allegiance. Mayor Lovero asked for a moment of silence recognizing our First Responders.

B. Open Forum: Mayor Lovero opened the floor for public comment. The following people stepped forward:

- Richard Leja spoke as a representative of the Pav YMCA board and announced the Y's 50th anniversary. He gave an overview of the Y's activities during the COVID-19 crisis. He distributed presentation materials about the Y. He informed council on ways they could assist the Y financially to help celebrate 50 years of community service.
- Brendan O'Connor asked the Mayor to explain how recently announced CARES Act funding to aid residents with overdue mortgage, rent and utility payments caused by COVID-19 was being publicized. He asked how outreach about this program was being conducted. He asked what the city was doing for Berwyn businesses and their employees affected by the pandemic. He submitted a copy of his remarks to the Clerk for the record.
- Nicollette Penaranda raised concern about the Mayor's decision to not enforce indoor dining restrictions and asked how the community could be of service to help.
- Ald. Nowak announced that the City of Berwyn was conducting a COVID-19 drive-up testing event on Friday, November 13 from 9:00 a.m. until 4:00 p.m. at the North Berwyn Park District building formerly known as the Harlem VFW.
- Clerk Paul, in her capacity as the Berwyn Public Health District President, announced a drive-up Free Flu shot event on Sunday, November 15th from 9:00 a.m. to 11:00 a.m. The event will also be held at the Harlem VFW site. She thanked Jewel Osco for providing the vaccine doses to help up to 200 people and the North Berwyn Park District for the use of the grounds and facility.
- Ald. Avila announced that he would be serving service veterans at Novi's Beef on Ogden on Wednesday, November 11th in recognition of their service and of Veterans' Day.
- Ald. Ruiz announced a 6th Ward Town Hall at Berwyn Bodega on Cermak.

The Mayor recognized Clerk Paul who read email submissions received for the Open Forum:

- Deanna Durica raised her concern over the Mayor's decision not to enforce all Tier I Mitigation measures for Berwyn as announced for Berwyn and Region 10 announced by Gov. Pritzker.
- Joe Policastro asked that email exchanges he had with City Administrator Ruth Siaba Green be read where he voiced his disagreement with the Mayor's directive not to enforce indoor dining and other

Tier I Mitigation requirements. There were three email exchanges. Clerk Paul summarized the content of the emails.

- Dan Leali wrote of his disagreement with Mayor Lovero on the issue of non-enforcement of business compliance with Tier I Mitigations.
- Tabitha Haro voiced her disagreement with the Mayor's non-enforcement decision and asked him to reverse his decision.
- Clerk Paul read a joint email from Salvador Figueroa (La Lupita Restaurant), Noe Gonzalez (Las Islas Bar & Grill), Laura Guerrero (Tacos y Salsa), Martin Sarmiento (Los Corrales Restaurant), and Isidro Garcia (La Michoacana Paeteria) thanking Mayor Lovero for his decision to not enforce the Tier I Mitigation requirements.
- Rocio Hernandez wrote to disagree with the Mayor's decision regarding Tier I enforcement and the disproportionate impact COVID-19 has on the Latinx and Black community.
- Anna Wagner wrote to disagree with the Mayor's decision on Tier I enforcement.
- Jose Alfredo Arteaga (Guadalajara Grill and Bar) thanked Mayor Lovero for his decision to not enforce Tier I Mitigations.
- Elizabeth Ojeda-Jimenez wrote against the non-enforcement of Tier I Mitigation requirements. She quoted Gov. Pritzker's remarks about local governments not following public health department guidelines and the need for them to take action to keep their constituents safe.
- Will Hudson wrote in opposition to the Mayor's actions to not enforce the Tier I Mitigation requirements. He asked the Mayor to find ways to support local businesses while enforcing measures to keep residents.
- Manny Haro expressed his opposition to the Mayor's Tier I Mitigation nonenforcement in a lengthy rhyme. Clerk Paul chose to summarize Mr. Haro's remarks.
- Julia McAleer-Forte expressed her opposition to the Mayor's Tier I Mitigation nonenforcement decision. She asked him to rescind his decision.

C. **Approval of Minutes:** Ald. Avila made the motion, seconded by Ald. Lennon, to amend the Minutes for the Regular City Council Meeting held on October 27, 2020 at paragraph J-3 to include that his motion included his statement that the four Probationary Police Officer positions were filling vacancies on the police force. The motion carried by a unanimous voice vote. Thereafter, Ald. Avila made the motion, seconded by Ald. Fejt to approve the Minutes as amended. The motion carried by a unanimous voice vote.

D. **Bid Openings:** Nothing submitted for the agenda.

Ald. Avila made the motion, seconded by Ald. Nowak, to bring forward agenda items I-3, I-4, I-5 and I-6. The motion carried by a unanimous voice vote.

I-3: Ald. Avila made the motion, seconded by Ald. Nowak, to concur with the recommendation of the Police and Fire Commission and appoint Zachary Erdman to the rank of Probationary Police Officer. The motion carried by a unanimous voice vote. Clerk Paul then administered the Oath of Office to Officer Erdman.

I-4: Ald. Avila made the motion, seconded by Ald. Nowak, to concur with the recommendation of the Police and Fire Commission and appoint Erica Mendoza to the rank of Probationary Police Officer. The motion carried by a unanimous voice vote. Clerk Paul then administered the Oath of Office to Officer Mendoza.

I-5: Ald. Avila made the motion, seconded by Ald. Nowak, to concur with the recommendation of the Police and Fire Commission and appoint Dominic Savino to the rank of Probationary Police Officer. The motion carried by a unanimous voice vote. Clerk Paul then administered the Oath of Office to Officer Savino.

I-6: Ald. Avila made the motion, seconded by Ald. Nowak, to concur with the recommendation of the Police and Fire Commission and appoint Elias Galvan to the rank of Probationary Police Officer. The motion carried by a unanimous voice vote. Clerk Paul then administered the Oath of Office to Officer Galvan.

E. Berwyn Development Corporation: Nothing submitted.

F. **Reports from the Mayor:**

F-1: Ald. Lennon made the motion, seconded by Ald. Reardon, to concur with Mayor Lovero and reappoint Erika Corona-Owens, Maria G. Salinas, Marta Rodriguez, and Emily Diebold to the Berwyn Library Board to serve a three-year term. The motion carried by a unanimous voice vote.

F-2: Ald. Lennon made the motion, seconded by Ald. Reardon, to concur with Mayor Lovero and appoint Nora Laureto to the Berwyn Library Board to serve the remaining term vacated by Jousef Mondragon and to thank Mr. Mondragon for his years of service on the board. The motion carried by a unanimous voice vote.

G. **Reports from the Clerk:** Ald. Avila made the motion, seconded by Ald. Lennon, to approve the 2021 Schedule of Regular City Council Meetings as put forth by Clerk Paul. The motion carried by a unanimous voice vote.

H. **Zoning, Planning and Development Commission:**

H-1: Ald. Avila made the motion, seconded by Ald. Lennon, to concur with the recommendation of the Commission and **adopt** the Ordinance entitled: **An Ordinance Approving a Special Use Permit for a Tattoo Parlor Use Within the C-2 Traditional Mixed-Use Zoning District at the Address Commonly Known as 6910 W. Cermak Road, Berwyn, Illinois – Omar and Elizabeth Bates, d/b/a Berwyn Custom Tattoo Company**, direct the Corporate Authorities to affix the necessary signatures and place it on its way to passage. The motion carried by a unanimous roll call vote.

H-2: Ald. Santoy made the motion, seconded by Ald. Fejt, to **override** the Commission's recommendation to deny the relief sought, **approve** the request for a setback variation for a second story bungalow addition in the R-2 Bungalow Zoning District at 1628 S. Cuyler Avenue, and refer the item back to the Commission to draft the appropriate ordinance. The motion carried with 7 AYES and 1 NAY (Reardon) on the call of the roll.

I. **Reports from the Aldermen, Committees, and Boards:**

I-1: Ald. Ramirez made the motion, seconded by Ald. Fejt, to mark his communication as Informational. Mayor Lovero recognized Ricardo Macedo, manager of the Water Department. Mr. Macedo explained how the duplicate water billing of 100 residential accounts occurred. He answered additional questions about the error which cost \$50.00 for the error. Following a brief discussion, the motion carried by a unanimous voice vote.

I-2: Ald. Santoy made the motion, seconded by Ald. Lennon, to mark his communication regarding the Minutes of the Budget and Finance Committee of October 15, 2020 as informational. The motion carried by a unanimous voice vote.

I-3 through I-6: See above

J. **Reports from the Staff:**

J-1: Ald. Santoy made the motion, seconded by Ald. Lennon, to **adopt** the Ordinance entitled: **An Ordinance Authorizing and Providing for a \$3,850,000 Revolving Line of Credit Loan From BMO**

Harris Bank N.A. to the City of Berwyn, Cook County, Illinois, direct the Corporate Authorities to affix the necessary signatures and place it on its way to passage. The motion carried by a unanimous roll call vote.

J-2: Ald. Santoy made the motion, seconded by Ald. Lennon, to set a tentative tax levy for the year 2020 to be collected in 2021 at the rate of 2.2% (Option “C”), refer the matter to Finance Director Daish to notice a Public Hearing on the levy for a date and time to be determined, and to refer the matter to the legal department to draft the appropriate Tax Levy Ordinance. The motion carried with Lennon, Fejt, Santoy, Avila, and Nowak voting AYE and Ramirez, Reardon, and Ruiz voting NAY.

J-3: Mayor Lovero recognized Public Works Director Robert Schiller. Mr. Schiller explained his work to identify a salt vendor and purchase winter road salt at a considerable discount in price from the previous year. Ald. Ruiz made the motion, seconded by Ald. Avila, to mark Public Works Dir. Schiller’s communication as informational and thank him for his efforts. The motion carried by a unanimous voice vote.

J-4: Ald. Santoy made the motion, seconded by Ald. Lennon, to **adopt** the Resolution entitled: **Resolution for Maintenance Under the Illinois Highway Code** as required by the Illinois Department of Transportation, direct the Corporate Authorities to affix the necessary signatures and place it on its way to passage. The motion carried by a unanimous voice vote.

J-5: Ald. Lennon made the motion, seconded by Ald. Reardon, to **adopt** the Resolution entitled: **A Resolution of the City of Berwyn, Cook County, Illinois Authorizing Submittal of a Grant Application for Illinois Transportation Enhancement Program Funds for the 34th Street Corridor Improvement Project**, direct the Corporate Authorities to affix the necessary signatures and place it on its way to passage. Mayor Lovero recognized Senior Engineer Nicole Campbell to answer questions posed by the Aldermen on J-5 and J-6. A short discussion ensued. The motion carried by a unanimous roll call vote.

J-6: Ald. Ruiz made the motion, seconded by Ald. Fejt, to **adopt** the Resolution entitled: **A Resolution of the City of Berwyn, Cook County, Illinois Authorizing Submittal of a Grant Application for Illinois Transportation Enhancement Program Funds for the Access to Transit Improvement Project**, direct the Corporate Authorities to affix the necessary signatures and send it on its way to passage. The motion carried by a unanimous roll call vote.

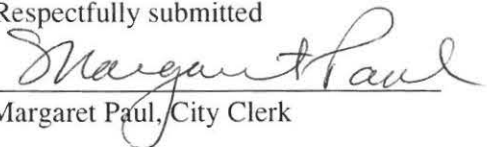
K. Consent Agenda: Ald. Avila made the motion, seconded by Ald. Lennon, to approve the Consent Agenda (Items K-1 through K-10) by omnibus designation. The motion carried by a unanimous voice vote.

Aldermanic Committees: Ald. Reardon announced a 3rd Ward meeting to be held on November 19, 2020 at 6:30 p.m. at Proksa Park.

Adjournment: Ald. Nowak made the motion, seconded by Ald. Avila, to adjourn the meeting. The motion carried by a unanimous voice vote.

The meeting adjourned at 9:10 p.m.

Respectfully submitted


Margaret Paul, City Clerk