

**ROBERT J. LOVERO**  
**MAYOR**

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

**MINUTES**  
**BERWYN CITY COUNCIL**  
**APRIL 13, 2010**

1. The regular meeting of the Berwyn City Council was called to order by Mayor Lovero at 8:00 p.m. Upon the call of the roll, the following responded present: Chapman, Boyajian, Paul, Skryd, Polashek, Avila, Laureto. Absent: Santoy. Thereafter, Avila made a motion, seconded by Polashek, to excuse Alderman Santoy. The motion carried by a voice vote.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the Polish President and dignitaries who perished in a plane crash, for the deceased JJ Espinoza, brother of Township Trustee Edward Espinoza, for the three years old child that was injured in a fire at 1907 Euclid and still remains hospitalized and for Firefighter William Glaser who sustained injuries while battling the fire, and for the deceased Homewood Firefighter, Brian Carey who was killed in the line of duty.
3. The Open Forum portion of the meeting was announced. Alderman Laureto announced an 8<sup>th</sup> Ward meeting for April 29, 2010 at Havlicek School and also announced the student Art Fair at Havlicek School on April 22, 2010 at 6:45 p.m.-Alderman Skryd announced a 4<sup>th</sup> Ward meeting in conjunction with Alderman Santoy of the 5<sup>th</sup> Ward on April 20, 2010 at 7:00 p.m. at the Berwyn United Lutheran Church, 2400 Harvey, also Alderman Skryd requested sponsors for Rain Barrels on Mainstreet-Alderman Paul announced a 3<sup>rd</sup> Ward meeting April 21, 2010 at 7:00 p.m. at the Peace Center on Stanley Avenue and reminded all to fill out their Census Forms-Alderman Chapman announced a 1<sup>st</sup> Ward Town meeting on April 21, 2010 at 7:00 p.m. at Ground for Appeal and reminded all of the events on April 24, 2010, which included the Berwyn Jaycees Monster Putt, Mini Golf Crawl, Kiwanis Pancake Breakfast at the Park District's Liberty Center, the Annual Baseball Parade, and Earth Day cleanups which will be held at the North and South Berwyn Park Districts.-Alderman Boyajian announced that the Berwyn Park District cleanup on April 24, 2010 will meet at Heritage Middle School at 9:00 a.m.  
Mayor Lovero introduced Tony Ellis, Outreach Director from Representative La Shawn Ford's office. The Mayor also spoke regarding his recent trip to the Czech Republic with Aldermen Polashek, Skryd, and State Representative Lisa Hernandez and discussions had with business owners

from the Czech Republic, who are interested in relocating their businesses to Berwyn.

4. The minutes of the regular Berwyn City Council meeting and the Committee of the Whole held on March 23, 2010 were presented. Thereafter, Avila made a motion, seconded by Boyajian, to concur and approve as submitted. The motion carried by a voice vote.
5. The Berwyn Development Corporation submitted a communication regarding Cermak Road Streetscape & Vacin Fairway Construction Engineering Services Contract. After discussion, Avila made a motion, seconded by Skryd, to defer the matter for 2 weeks. The motion carried by a voice vote.
6. The Berwyn Development Corporation submitted a communication regarding the TIF Application for the Depot American Diner 2, 6908 Windsor Avenue. The Mayor recognized Anthony Griffin, Director of the Berwyn Development Corporation who reviewed same. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve as submitted in an amount not to exceed \$71,000. The motion carried by a unanimous roll call vote.
7. The Berwyn Development Corporation submitted a communication regarding Cermak /Harlem Redevelopment RFQ (Request for Qualifications). Thereafter, Avila made a motion, seconded by Skryd, to concur with the recommendation of the Berwyn Development Corporation for approval of the RFQ. The motion carried by a unanimous roll call vote. Thereafter, the Mayor announced a selection committee which will include Dario Solano, of Berwyn Mainstreet, Alma Ortiz, of the Berwyn Development Corporation, Doug Walega, Anthony Griffin of the Berwyn Development Corporation, Treasurer, Joe Kroc, Lorie Thielen of the Berwyn Historic Preservation Commission, and Tim Angel, Senior Project Manager of the Berwyn Development Corporation. Thereafter, Skryd made a motion, seconded by Polashek, to concur with the Mayor's recommendation of the Selection Committee. The motion carried by a voice vote.
8. The Berwyn Development Corporation submitted a communication regarding Route 66 Car Show with an attached Resolution requesting to Hold Show and Close Ogden Avenue on September 11, 2010 from 6:00 a.m. to 5:00 p.m. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and adopt the Resolution as presented and to authorize the corporate authorities to affix their signature thereto. The motion carried by a unanimous roll call vote.

9. The Mayor submitted a Resolution regarding repairs and maintenance for the Illinois Department of Transportation, roadways in Berwyn. Thereafter, Skryd made a motion, seconded by Chapman, to amend on face to include the year 2011. The motion carried by a voice vote. Thereafter, Skryd made a motion, seconded by Chapman, to concur and **adopt** the Resolution as amended. The motion carried by a unanimous roll call vote.
10. The Mayor submitted a Resolution regarding the Berwyn Playground Recreation Commission's Annual Baseball Parade to be held on Saturday, April 24, 2010. Thereafter, Chapman made a motion, seconded by Avila, to concur and **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.
11. The Mayor submitted a Proclamation recognizing Berwyn as Tree City USA by the Nation Arbor Day Foundation. Thereafter, Skryd made a motion, seconded by Chapman, to concur and **adopt** the Proclamation as presented. The motion carried by a voice vote.
12. The Mayor submitted a communication regarding Certified Municipal Clerk Designation. The Mayor recognized and congratulated City Clerk, Tom Pavlik for having earned the prestigious Certified Municipal Clerk's Designation and also receiving the Registered Municipal Clerk's Certificate last October from the Municipal Clerk's of Illinois. Thereafter, the Mayor recognized the Village of Justice Clerk, Kathy Svoboda, President of the South and West Municipal Clerk's Cook County Association and Cathy Aparo, Village Clerk of Evergreen Park, past president of the South and West Association who presented Clerk Pavlik with a plaque for CMC and RMC Designation. Thereafter, Avila made motion, seconded by Chapman, to concur and accept the matter as informational with congratulations to Clerk Pavlik. The motion carried by a voice vote.
13. The Mayor submitted a communication regarding the appointment of Police Chief James D. Ritz, as recommended by a Review and Selection Committee which consisted of 2 Aldermen, 3 Members of the community along with the City Administrator. Thereafter, Chapman made a motion, seconded by Polashek, to waive the hiring freeze and concur with the Mayor's recommendation. The motion carried by a unanimous roll call vote. Thereafter, the Mayor recognized and introduced Mr. Ritz and stated that he will be assuming his duties in approximately 2 weeks.
14. The Mayor submitted a communication regarding Health Insurance Renewal as discussed in the Committee of the Whole. Thereafter, Skryd made a motion, seconded by Boyajian, to concur and approve as submitted and to

authorize the corporate authorities to enter into an agreement with Blue Cross/Blue Shield with an effective date of May 1, 2010. The motion carried by a unanimous roll call vote.

15. The Mayor submitted a communication regarding William Kushner (Buy Back Request). Thereafter, Avila made a motion, seconded by Chapman, to suspend the rules and bring forth Item I-3 and mark as germane. The motion carried by a voice vote. Item I-3 is a communication from the Fire and Police Committee recommending to award (15) days vacation, totaling \$6,458.40 and (40) days sick time totaling \$17,222.40. Thereafter, Avila made a motion, seconded by Chapman, to concur and approve in an amount not to exceed \$23,680.80. The motion carried by the following roll call: Yeas: Chapman, Boyajian, Paul, Polashek, Avila, Laureto. Nays: Skryd. Excused: Santoy.
16. The Zoning Board of Appeals submitted a Resolution and four Ordinances regarding Rolando M. Costa, Berwyn Center LLC HD LLC Partner, and the City of Berwyn. Cermak Road, Grove Avenue and Oak Park Parcel. Clerk Pavlik noted that 4 separate motions were need for these items. Thereafter, Avila made a motion, seconded by Polashek to amend the cover letter along with the variance ordinance Medical Building and Conditional Use Ordinance for the Medical Center to reflect the location as South East. The motion to amend carried by a voice vote.
17. The Zoning Board of Appeals submitted a **Variation Ordinance** regarding applicant Rolando M. Costa on behalf of the Berwyn Center LLC and on behalf of the City of Berwyn as it applies to the Bank Building, common address 6801 W. Cermak Road. Thereafter, Avila 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 a unanimous roll call vote.
18. The Zoning Board of Appeals submitted a **Variation Ordinance** for a contemplated three story Medical Building to be located at the northwest corner of Cermak & Grove Avenues. Thereafter, Avila made a motion, seconded by Skryd 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.
19. The Zoning Board of Appeals submitted a **Conditional Use Ordinance** for Group Medical Centers to be located on the second and third floors of the new three story Medical Building on Cermak and Grove Avenue.

Thereafter, Avila made a motion, seconded by Boyajian, 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.

20. The Zoning Board of Appeals submitted a **Zoning Change Ordinance** regarding the change of Zoning for property located between Cermak Road, Grove Avenue, and Oak Park Avenue from A-1 to C-2 for the vacated alley, lots 21 and 22 and Lot 50 and the north half of Lot 51, except the street. Thereafter, Avila made a motion, seconded by Skryd, 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.
21. Alderman Skryd submitted a communication regarding Deaf Children at Play signs at the corner of 24<sup>th</sup> Street and Gunderson Avenue. Thereafter, Skryd made a motion, seconded by Polashek, to concur and approve as submitted and refer to the Public Works director and Traffic Engineer to install signage. The motion carried by a unanimous roll call vote.
22. The Business License and Taxation Committee submitted a report regarding referral item I-1 of March 9, 2010 regarding Chapter 859, Newspaper Vending Machines with the recommendations to amend Chapter 859.02, 859.99, and 859.99 (YY). Thereafter, Skryd made a motion, seconded by Avila, to refer to the Law Department to amend ordinance. The motion carried by a voice vote.
23. The Berwyn Historic Preservation Committee submitted a communication with an attached ordinance entitled:  
**AN ORDINANCE DESIGNATING AS A HISTORIC LANDMARK PROPERTY KNOWN AS THE ARTHUR J. DUNHAM HOUSE, 3131 S. WISCONSIN AVENUE, PURSUANT TO THE REQUIREMENTS OF CHAPTER 1820 OF THE BERWYN CITY CODE.**  
Thereafter, Paul made a motion, seconded by Boyajian, to concur and **adopt** the ordinance as presented. The motion carried by a unanimous roll call vote.
24. The Law Department submitted a communication and Resolution entitled:  
**A Resolution Approving Participating in Illinois Housing Development Authority Mortgage Credit Certificate Program**  
Thereafter, Chapman made a motion, seconded by Skryd, to concur and **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.

25. The Law Department submitted a communication requesting settlement of Case #06C1551 in the amount of \$240,000. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve for payment. The motion carried by a unanimous roll call vote.
26. The Law Department submitted a communication along with an attached ordinance entitled:  
**AN ORDINANCE AMENDING CHAPTER 462.05 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING LICENSE FEES**  
Thereafter, Chapman made a motion, seconded by Avila, to amend the ordinance on face, section (A) class (W)-handicapped persons' vehicles, to remain at \$35.00 which reflects no increase. The motion carried by a unanimous roll call vote. Thereafter, Chapman made a motion, seconded by Skryd, to concur and **adopt** the ordinance as amended and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
27. The City Attorney and the Traffic Engineer submitted a communication along with an ordinance entitled:  
**AN ORDINANCE AMENDING CHAPTER 442.01 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING AUTHORITY TO ERECT TRAFFIC SIGNS AND SIGNALS**  
Thereafter, Laureto 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 a unanimous roll call vote.
28. The City Attorney and the Traffic Engineer submitted a communication along with an ordinance entitled:  
**AN ORDINANCE ESTABLISHING PROHIBITED TURN LOCATIONS AND AMENDING CHAPTER 460 OF THE TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN**  
Thereafter, Laureto made a motion, seconded by Skryd, to concur and **adopt** as amended on face section 460.09 (A) sub section (3) to reflect Southbound traffic and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
29. The Traffic Engineer submitted a communication regarding a Pay Box at Municipal Surface Lot at 32<sup>nd</sup> Street and Oak Park Avenue. Thereafter, Chapman made a motion, seconded by Polashek, to waive the bid process and concur and award the agreement as submitted to Total Parking Solutions Inc. The motion carried by a unanimous roll call vote.

30. The Deputy Chief submitted a communication requesting permission to promote one (1) Sergeant from the City of Berwyn Police Department's current Eligibility List to fill the vacancy created by the recent retirement of Paul Storzynski. Thereafter, Avila made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
31. The Director of the Community Development Department submitted a communication along with a Resolution entitled:  
**A Resolution Authorizing Execution of an Intergovernmental Agreement with Illinois Housing Development Authority entitled "Neighborhood Stabilization Program Agreement" for the use of Neighborhood Stabilization Funds.**  
Thereafter, Skryd made a motion, seconded by Chapman, to concur and 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.
32. The Public Works Director submitted a communication requesting permission to bid for Seasonal Landscape Maintenance. After discussion, Paul made a motion, seconded by Avila, to amend attachment B regarding Ogden Avenue. The motion carried by a voice vote. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve as amended to waive the seal bid process and go out for RFP. The motion carried by a unanimous roll call vote.
33. The Public Works Director submitted a communication regarding Roosevelt Road Water & Combined Sewer Improvements, Recommendation to approve Change Order number 1. Thereafter, Boyajian made a motion, seconded by Skryd, to concur and approve as submitted in an amount not to exceed \$54,440.80. The motion carried by a unanimous roll call vote.
34. The City Engineer submitted a communication regarding Depot District Fence Installation and to award the bid contract to Action Fence contractor, Inc. Mundelein, Il in the amount of \$77,500. Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
35. The Licensing Officer submitted a communication regarding application for the following business types Beauty and Nail Salons, Herbal Life and or Health Nutrition businesses, Cash for Gold Precious Metals and Pawn Brokers. The Mayor then ask that the communication by amended to include Barber Shops. Thereafter, Skryd made a motion, seconded by

Chapman, to amend on face to include Barber Shops. The motion carried by a voice vote. Thereafter, Skryd made a motion, seconded by Polashek, to refer the matter to the Law Department to amend the ordinance. The motion carried by a voice vote.

36. The Licensing Officer submitted a communication regarding an addition to existing Liquor Ordinance 804.06 to include a Class J. Thereafter, Skryd made a motion, seconded by Avila, to concur and refer the matter to the Law Department to amend ordinance. The motion carried by a voice vote.
37. The City Treasurer and City Grant Coordinator submitted a communication regarding receipt of \$112,400 Department of Homeland Security Federal Grant to be used for Fire Department Personal Protective Equipment, Self Contained Breathing Apparatus also known as "Air Packs". Thereafter, Skryd made a motion, seconded by Polashek, to accept the matter as informational. The motion carried by a voice vote.
38. Consent Agenda Items K-1 through K-13 were submitted.
  - K-1-Budget Chair, payroll for March 31, 2010, \$811,635.49
  - K-2-Budget Chair-payables-April 13, 2010-\$3,256,251.70
  - K-3-Boyajian, handicap sign, Lina Chavez, 3736 Lombard, approve.
  - K-4-Boyajian, handicap sign, Agnes Thielen, 3109 Clarence, approve
  - K-5-Santoy, handicap sign, Marquita Barr, 2111 Highland, approve
  - K-6-Santoy, handicap sign, Mary Ann Soto, 2323 Harvey, approve
  - K-7-Santoy, handicap sign, Guydie Mondo, 6403 W. 23<sup>rd</sup> St.#2, approve
  - K-8-Laureto, handicap sign, Lidiya Vasilishin, 1420 Clinton, approve
  - K-9-Finance Dir., DCEO Grant Receipts and Line of Credit Payment
  - K-10-Licensing & Collections-business licenses issued March 2010
  - K-11-Mayor-Notification of Written Order Entered at Conclusion of Liquor License Hearing Proceedings (2)
  - K-12-Tiger O'Stylies, 6300 Ogden Ave. Spring & Summer Events
  - K-13-Paul, handicap sign, Ascension Hernandez, 6917 W. 29<sup>th</sup> St., approve  
Concur and approve by Omnibus Vote Designation
39. Chapman, Budget Committee meeting on Thursday, April 22, 2010 at 5pm
40. There being no further business to come before the meeting, same was, after a motion by Laureto, seconded by Boyajian, to adjourn at the hour of 8:52 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik, CMC  
City Clerk



BERWYN CITY COUNCIL  
APRIL 13, 2010