

ROBERT J. LOVERO
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
NOVEMBER 23, 2010

1. The regular meeting of the Berwyn City Council was called to order by Mayor Lovero at 8:01 p.m. Upon the call of the roll, the following responded present: Chapman, Boyajian, Paul, Skryd, Santoy, Polashek, Avila, Laureto.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the men and women on the streets of Berwyn protecting our safety.
3. The Open Forum portion of the meeting was announced. The Mayor recognized residents from the 6400 block of Fairfield and 2700 block of Clinton who spoke regarding the Tot Gym Program at the Recreation Department, which is now being taken over by the Berwyn Park District. The Mayor stated that the program will not be dropped and that the problem was with the staffing and that the Berwyn Park District is taking it over, that the services will still be provided to the residents of Berwyn. The Mayor recognized a resident from the 3200 block of Clarence regarding same issue and also expressed her dissatisfaction on the way the Recreation Department staff handled the matter. The Mayor recognized a resident from the 3400 block of Wenonah who was supportive of parents in favor of the Tot Gym Program, but was speaking against the Methadone Clinic and the zoning changes to allow it to be opened in Berwyn. The Mayor recognized a resident from Riverside Drive who spoke on new residents on the block being happy with the city services provided and also expression appreciation for resolving a sidewalk issue. Alderman Skryd read a letter from the 16th Street Theater regarding the upcoming 2011 Season and the goal to raise \$10,000 and asked all for support.
4. The minutes of the regular City Council meeting, and the Committee of the Whole, for November 9, 2010 were submitted. Thereafter, Chapman made a motion, seconded by Avila, to concur and approve as submitted. The motion carried by a voice vote.
5. The Mayor submitted a proclamation declaring November 30, 2010 as Morgan Borkovec Day in the City of Berwyn in recognition for her achievement of being chosen as recipient of the Cook County Sheriff's

Youth Service Medal of Honor. Thereafter, Avila made a motion, seconded by Skryd, to concur and **adopt** the proclamation as presented. The motion carried by a voice vote.

6. Chapman made a motion, seconded by Skryd, to suspend the rules and bring forth item J-8. The motion carried by a voice vote. Item J-8 is a communication from Police Chief Ritz recognizing Sergeant George Janecek and Officer Charles Schauer for being honored at the Cook County Sheriff's Law Enforcement Award Ceremony. Thereafter, Skryd made a motion, seconded by Boyajian, to accept the matter as informational. The motion carried by a voice vote. Thereafter, the Mayor recognized and thanked the officers.
7. The Clerk submitted a communication regarding the approval of closed Committee of the Whole minutes of September 14th, 28th, and October 12th and 26, 2010 as reviewed in closed session on November 9, 2010. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a voice vote.
8. A deferred communication from the City Attorney was submitted along with an attached ordinance entitled:
AN ORDINANCE AMENDING THE TEXT OF THE ZONING CODE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS TO ESTABLISH A C-4 RESTRICTED COMMERCIAL ZONING DISTRICT
Thereafter, Chapman 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.
9. A deferred communication from the City Attorney was submitted along with an attached ordinance entitled:
AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS TO ESTABLISH A C-4 RESTRICTED COMMERCIAL ZONING DISTRICT
After discussion, Chapman made a motion, seconded by Boyajian, to amend the text on face to read: **Restricted Commercial District and Restricted Services Zoning District**, striking the word, **General** and to eliminate from the map the Harlem-Windsor, Harlem-Stanley, and Harlem-Cermak wrap around area. The motion to amend, carried by a unanimous roll call vote. Thereafter, Chapman made a motion, seconded by Skryd, to concur and **adopt** the ordinance as amended on face and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

10. Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth item J-4 and make germane to item J-3. The motion carried by a voice vote. Item J-3 is a communication from the City Attorney with an attached ordinance entitled:
AN ORDINANCE AMENDING CHAPTER 804 SECTION 804.06 A, B, AND C OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, REGARDING ALCOHOL LIQUOR DEALERS
Thereafter, Chapman 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 the following roll call: Yeas: Chapman, Boyajian, Santoy, Polashek, Avila, Laureto. Nays: Paul, Skryd.
11. The City Attorney submitted a communication regarding the settlement of Case No. 08WCO2815 and Case No. 08WCO2816 in the total amount of \$150,000. Thereafter, Avila made a motion, seconded by Skryd, to concur and approve as submitted for payment. The motion carried by a unanimous roll call vote.
12. The City Attorney submitted a communication regarding the City of Berwyn and Berwyn Park District, Mutual Service Agreement. Thereafter, Skryd made a motion, seconded by Boyajian, to concur and authorize the corporate authorities to enter into an agreement and to affix their signatures thereto. The motion carried by a unanimous roll call vote.
13. The City Administrator submitted a communication requesting to fill the vacated position of Receptionist at City Hall, to waive the hiring freeze, and allow advertisement for replacement. Thereafter, Chapman made a motion, seconded by Skryd, to concur, waive the hiring freeze and grant permission to advertise for position. The motion carried by a unanimous roll call vote.
14. The Berwyn Police Department, Division Commander, Administrative Services Chairman of the E.T.S.B. requesting to establish a new Public Safety position. Thereafter, Skryd made a motion, seconded by Avila, to concur, waive the hiring freeze and allow the position to be filled with funds provided from the Emergency Telephone Systems Board. The motion carried by a unanimous roll call vote.
15. The Finance Director submitted a communication with an attached ordinance entitled:

**ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
ADJUSTING SOLID WASTE COLLECTION FEES FOR THE 2011 FISCAL
YEAR**

Thereafter, Chapman 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.

16. The Finance Director submitted a communication regarding the 2010 Tax Levy, to be collected in 2011 and requested a Public Hearing to be held at 5:45 p.m. on Tuesday, December 14, 2010. Thereafter, Chapman made a motion, seconded by Avila, to concur and to grant permission for posting and publication of the legal notice for the proposed 2010 Tax Levy and Public Hearing on Tuesday, December 14, 2010 at 5:45 p.m. Thereafter, Chapman made a motion, seconded by Skryd, to refer the proposed ordinance to levy taxes for the General Corporate and Special Purposes for the Tax Year 2010 to the Public Hearing scheduled for Tuesday, December 14, 2010 at 5:45 p.m. The motion carried by a voice vote.
17. The Public Works Director submitted a communication regarding the 2010 C.D.B.G. Sidewalk Replacement Project #09-21, with a recommendation to approve Contractor Pay Estimate #1 in the amount of \$38,948.40. Thereafter, Boyajian made a motion, seconded by Chapman, to concur and approve as submitted for payment. The motion carried by the following roll call: Yeas: Chapman, Boyajian, Paul, Santoy, Polashek, Avila, Laureto. Nays: Skryd.
18. The Public Works Director submitted a communication requesting permission to bid Contractual utility locating services. Thereafter, Skryd made a motion, seconded by Boyajian, to concur and grant permission. The motion carried by a unanimous roll call vote.
19. The Public Works Director submitted a communication regarding the 2011 MFT Maintenance. Thereafter, Avila made a motion, seconded by Skryd, to withdraw the communication. The motion carried by a voice vote.
20. The City Attorney submitted a communication along with an attached ordinance entitled:
AN ORDINANCE AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT FOR THE ACQISITION OF THE REAL PROPERTY AT 6511-6547 WEST OGDEN AVENUE, BERWYN, ILLINOIS, FOR THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS
Thereafter, Chapman made a motion, seconded by Skryd, to amend the cover page on face striking the word amending and inserting the word

authorizing. The motion carried by a voice vote. Thereafter, Chapman made a motion, seconded by Avila, 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. The Traffic Engineer submitted a communication regarding Model Communities Grant. Thereafter, Skryd made a motion, seconded by Polashek, to concur and grant permission and to authorize the Traffic Engineer to apply for the grant. The motion carried by a voice vote.
22. Consent Agenda items K-1 through K-6 were submitted.
K-1-Budget Chair, payroll for November 11, 2010, \$952,265.20
K-2-Budget Chair, payables for November 23, 2010, \$1,087,890.14
K-3-Building Director, building permits issued October, 2010
K-4-Chapman, handicap sign, D. Nocco, 3701 Clarence, approve
K-5-Avila, handicap sign, P. Wilson, 2100 Kenilworth, approve
K-6-Piper School, fund raiser, November 16th through November 26, 2010
Thereafter, Avila made a motion, seconded by Chapman, to concur and approve by Omnibus Vote Designation.
23. Alderman Chapman called a Budget Committee meeting for Tuesday, November 30, 2010 at 4:00 p.m.
24. Alderman Boyajian called a Public Works Committee meeting for Monday, December 6, 2010 at 4:00.
25. Alderman Paul announced a Parking and Traffic Committee meeting, as previously called, for Monday, November 29, 2010 at 5:30 p.m.
26. Alderman Skryd announced an Administration Committee meeting, as previously called, for Monday, December 13, 2010 at 5:30 p.m.
27. The Mayor announced a Public Hearing for the proposed 2010 Tax Levy for Tuesday, December 14, 2010 at 5:45 p.m.
28. There being no further business to come before the meeting, same was, after a motion by Laureto, seconded by Avila, to adjourn at the hour of 8:48 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik, CMC
City Clerk