

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
JANUARY 13, 2009

1. The regular meeting of 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, Weiner, Skryd, Day, Phelan, Lovero, Erickson. Absent: Ramos.
Thereafter, Chapman made a motion, seconded by Skryd to excuse Aldermen Ramos. The motion carried by a voice vote.
2. The Pledge of Allegiance was recited, a moment of silence was observed for the safety of our armed forces, police, firefighters and paramedics.
3. The Open Forum portion of the meeting was announced.
 - Tom Hayes President of the Firefighters Local 506 Union spoke regarding firefighters pension fund and read statement into record. He also spoke regarding the exercise equipment in the fire department, the incident regarding the situation and the Mayors orders to remove the exercise equipment and if a favorable ruling on the fire departments grievance not returned, the union intends to go to arbitration on the matter.
 - The Mayor recognized Eileen Pech of the Berwyn Public Library Board who spoke regarding a book regarding the History of The Berwyn Public Library and supplied same to the Mayor and the Aldermen and also stated the book will be on sale at the Berwyn Public Library.
 - Jim Rinehart a Berwyn resident of Lombard Avenue spoke regarding the snow removal and the piling of snow up to 10 feet high in the business district and the hazardous condition it is causing.
4. The minutes of the regular City Council meeting, the Committee of the Whole Meeting and the Minutes of the Public Hearing all held on December 23, 2008 were submitted. Thereafter, Erickson made a motion, seconded by Chapman, to concur and approve the minutes as presented. The motion carried by a voice vote.
5. Chapman made a motion, seconded by Skryd, to suspend the rules and bring forth item #F-2. Motion carried.
F-2 is a Proclamation proclaiming Friday, January 16, 2009 as **Morton West High School Varsity Boys Basketball Team Day** in Berwyn.

Thereafter, a presentation showing highlights of the boys victory at the Proviso West Holiday Tournament followed by Mayor O'Connor recognizing and congratulating all the team members and the coaches. Thereafter, Alderman Lovero presented the parents of the boys' basketball team with a plaque honoring them for their commitment as parents of student's athletes. Thereafter, Skryd made a motion, seconded by Chapman, to adopt the Proclamation as presented. The motion carried by a voice vote.

6. A proclamation proclaiming **Tuesday, January 13, 2009 as Joanne Zendol Day** in Berwyn. Honoring Joanne Zendol recipient of the 2008 Illinois State Board of Education Thomas Lay Burroughs Award. Mayor O'Connor then recognized Mrs. Zendol and presented her with the Proclamation. Thereafter, Lovero made a motion, seconded by Day, to adopt the Proclamation as presented. The motion carried by a voice vote.
7. A Proclamation proclaiming **Thursday, January 15, 2009 as Morton West High School Drama Club Day** in Berwyn. Thereafter, Mayor O'Connor recognized the members of the club and presented each with a Proclamation. Skryd made a motion, seconded by Lovero, to adopt the Proclamation as presented. The motion carried by a voice vote.
8. The Mayor submitted a communication regarding Parking 32nd Street and Harlem Avenue. Erickson made a motion, seconded by Chapman to refer to the matter to the Committee of the Whole and Traffic Engineer. The motion carried by a voice vote, with Phelan voicing a contrary nay.
9. The Mayor submitted a communication regarding the appointment of Ms. Roxanne M. Faulds to the Berwyn Library Board term to expire January 5, 2012. Thereafter, Erickson made a motion, seconded by Chapman, to concur in the appointment and approve as submitted. The motion carried by a voice vote.
10. The Mayor submitted a communication regarding Library Budget and Sunday Hours. Thereafter, Erickson made a motion, seconded by Weiner, to refer to matter to the Committee of the Whole with the recommendation to leave the budget in tack as reviewed in the Committee of the Whole for inclusion in the 2009 Budget, therefore, allowing the Library to move forward to implement Sunday hours. The motion carried by a unanimous roll call vote.
11. A motion was made by Chapman, seconded by Skryd, to recess the City Council Meeting for 5 minutes. The motion carried by a unanimous roll call vote at 8:54pm.

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12. A motion was made by Skryd, seconded by Chapman, to reconvene the City Council Meeting at 8:59pm. The motion carried by a voice vote.
13. The Mayor submitted a communication regarding Promotion to Sergeant. Mayor O'Connor requested the Clerk to read the communication into record. Thereafter, Chapman made a motion, seconded by Weiner, to accept the matter as information. Discussion ensued regarding the total amount of money it would cost the City to promote the two sergeants verses the overtime currently being paid to sergeants for full staffing. Thereafter, the motion carried by voice vote.
14. The Mayor submitted a communication regarding a request for Funding of Architect and Plans for Maple Pool. Mayor O'Connor requested a motion to withdraw the communication. Thereafter, Erickson made a motion, seconded by Day, to withdraw the communication. The motion carried by a voice vote.
15. The Clerk submitted a communication regarding the approval of the Closed Committee of The Whole Minutes of October 7th, 14th, and 28th, November 11th, 24th, and 25th, December 9, 2008. Thereafter, Erickson made a motion, seconded by Day, to concur and approve as submitted. The motion carried by a voice vote, with Skryd voicing a contrary nay.
16. Alderman Chapman submitted a communication regarding the incident at 3248 Grove Avenue. Chapman made a motion, seconded by Lovero, to concur. After discussion the motion failed on the following call of the roll: Yea: Chapman, Skryd, Lovero. Nay: Weiner, Day, Phelan, Erickson. After further discussion a motion was made by Chapman, seconded by Weiner to concur on forwarding information only to Alderman Chapman. The motion carried by a voice vote.
17. A communication from the Fire & Police Committee was submitted regarding a meeting held on January 5, 2009 regarding **Fire Department Grievance** Item I-2A with the recommendation that the matter be taken under advisement and no equipment be removed from anywhere until an appropriate decision is made regarding the issue of removal and requesting a legal opinion from the city attorney on or before Thursday, January 8, 2009. Thereafter, Chapman made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
18. The Fire and Police Committee submitted a communication regarding a meeting held on January 8, 2009, regarding **Fire Department Grievance**

Item I-2B with the recommendation that the committee concur with the opinion of the City Attorney Odelson & Sterk dated, January 8, 2009. After discussion, Erickson made a motion, seconded by Day, to concur with the Law Department opinion. The motion failed on the following call of the roll: Yea: Day, Erickson. Nay: Chapman, Weiner, Skryd, Phelan, Lovero.

19. A deferred communication from the law department in an attached ordinance regarding Sister City Ordinance entitled;

AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, AUTHORIZING THE SUBMISSION OF A MEMBERSHIP APPLICATION TO SISTER CITIES INTERNATIONAL

Thereafter, Skryd made a motion, seconded by Chapman, to concur and **ADOPT** the Ordinance as presented and authorize the corporate authorize to affix their signatures thereto. The motion carried by the following call of the roll: Yea: Chapman, Weiner, Skryd, Day, Lovero. Nay: Phelan, Erickson.

20. The Law Department submitted a communication regarding the removal of items from the referral list. Thereafter, Skryd made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
21. The Law Department submitted a communication regarding the settlement of Case Number 07 WC 47946 of the Illinois Workers Compensation Commission in the total amount of \$40,316.65. Thereafter, Erickson made a motion, seconded by Day, to concur and approve as submitted for payment. The motion carried by a unanimous roll call vote.
22. The Building Director submitted a communication regarding the Disposal of Two Inspector Vehicles. Thereafter, Erickson made a motion, seconded by Day, to refer the matter to the Finance Director. After discussion the motion failed by a voice vote, Erickson voicing a contrary yea. After further discussion Phelan made a motion, seconded by Chapman, to defer the matter for two weeks. The motion carried by a voice vote.
23. The Finance Director submitted a communication regarding Gasoline Tax Increase and an attached Ordinance to enact. Thereafter, Weiner made a motion, seconded by Day, to concur and adopt the Ordinance as presented. The motion was **DEFEATED** on the following call of the roll: Yea: Weiner, Day. Nay: Chapman, Skryd, Phelan, Lovero, Erickson.

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24. The Finance Director submitted a communication and an attached Ordinance regarding Vehicle Sticker Increase. Thereafter, Weiner made a motion, seconded by Day, to concur and adopt the Ordinance as presented. The motion was **DEFEATED** by the following call of the roll: Yea: Weiner, Day, Lovero. Nay: Chapman, Skryd, Phelan, Erickson.
25. Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth item #K-2 from the consent agenda. Motion carried.
Item K-2 – The amended payables which include; 12-30-08 thru 1-9-09
Thereafter, Skryd made a motion, seconded by Erickson, to concur and approve K-2 in the amended amount of \$1,280,975.54. The motion carried by a unanimous roll call vote.
26. The Consent agenda items, the remaining consent agenda items; K-1, K-3 through K-7 were submitted:
K-1-The budget chairman submitted the payroll for December 24, 2008 and January 7, 2009 in the total amount of \$1,683,269.58
K-3-The Building Director submitted the Building Permits for December 2008.
K-4-Day-Handicap Sign-Virginia Clifford-2313 S Harvey-**Deny**
K-5-Day-Handicap Sign-Juan M. Ramirez-2248 S. Elmwood-**Deny**
K-6-Erickson-Handicap Sign-Maria S. Roman-1406 S. Elmwood-**Approve**
K-7-Erickson-Handicap Sign-Blanche Bavone-1449 S. Maple-**Approve**
Thereafter, Erickson made a motion, seconded by Weiner, to concur and approve as submitted. The motion carried by an omnibus vote designation. The motion carried by a voice vote.
27. The Mayor requested a vote on the Committee of the whole for Thursday, January 15, 2009 at 7:00 pm as previously called. Weiner made a motion, seconded by Day, to concur. The motion carried by the following call of the roll: Yea: Chapman, Weiner, Skryd, Phelan, Lovero, Erickson. Nay: Day.
Mayor O'Connor requested a special Committee of the Whole to be held January 22, 2009 at 7:00 pm for budget discussion. Weiner made a motion, seconded by Chapman, to concur and approve the meeting as requested. The motion carried by the following call of the roll: Yea: Chapman, Weiner, Phelan, Lovero. Nay: Skryd, Day.
Mayor O'Connor then called a regular Committee of the Whole for Tuesday, January 27, 2009 at 6:00 PM, Noting that a health insurance discussion will take place at that meeting.
28. Chairman of the Administration Committee called a meeting for Monday, January 26, 2009, 6:00 PM.

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29. There being no further business to come before the meeting, same was, after a motion by Chapman, seconded by Erickson, to adjourn at the hour of 9:59 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk