

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

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

**MINUTES**  
**BERWYN CITY COUNCIL**  
**JANUARY 27, 2009**

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:03 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero, Erickson.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the safety of our armed forces, police, firefighters, paramedics, and especially for Jimmy Trdowski, who is currently serving in Iraq.
3. The Open Forum portion of the meeting was announced. The Mayor recognized Steven Petergall, Oak Park resident and Berwyn firefighter, who spoke regarding his recent injury and asked for an apology from the Mayor, see attached statement.
4. The minutes of the Berwyn City Council meeting and the Committee of the Whole held on January 13, 2009 were submitted. Thereafter, Erickson made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a voice vote.
5. The Berwyn Development Corporation submitted a communication regarding the Replacement of the Cermak Road Clock. Thereafter, Erickson made a motion, seconded by Chapman, to concur and approve for payment. The motion carried by a unanimous roll call vote.
6. The Berwyn Development Corporation submitted a communication regarding the 2009 annual event dates. Thereafter, Chapman made a motion, seconded by Ramos, to concur and approve as submitted. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero. Nays: Erickson.
7. The Berwyn Development Corporation submitted a communication regarding the Parking Structure Construction-Potential Caisson related Change Order. The Mayor recognized Anthony Griffin from the BDC, who explained the request, stating that three separated motions needed to be made.

Thereafter, Chapman made a motion, seconded by Skryd, to concur for consideration to release an amount not to exceed \$242,805 from the construction budget to address the caisson change order. The motion carried by a unanimous roll call vote.

Thereafter, Chapman made a motion, seconded by Skryd to concur and approve for payment in an amount not to exceed \$90,000 from the construction budget to put towards the Walker Parking Consultants budget and additional costs associated with the review and redesign of the caisson issue. The motion carried by a unanimous roll call vote.

Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve payment in an amount not to exceed \$28,772 from the construction budget, only if the geotechnical test results indicate further TDR testing is necessary and to consider approving the scope of services contract associated with the TDR testing from the company AECOM. The motion carried by a unanimous roll call vote.

8. The Berwyn Development Corporation submitted a communication regarding the Wireless Network Link, Parking Structure. Thereafter, Erickson made a motion, seconded by Chapman, to concur and approve for payment in an amount not to exceed \$14,595.39. The motion carried by a unanimous roll call vote.

9. Lovero made a motion, seconded by Chapman, to suspend the rules and bring forth items J-8, J-9, J-10, and J-11. The motion carried. Item J-8 is a communication from the Law department along with an attached ordinance entitled:

**AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, APPROVING A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS AND HD ACQUISITIONS, LLC TO INDUCE THE DEVELOPMENT OF 6801-6821 WEST CERMAK ROAD, BERWYN, ILLINOIS.**

Thereafter, Lovero made a motion, seconded by Erickson, 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, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Nays: Phelan.

10. The Law department submitted a communication along with an ordinance entitled:

**AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, APPROVING AN AMENDED AND RESTATED REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS AND BERWYN CENTER, LLC TO**

**INDUCE THE DEVELOPMENT OF 6801-6821 WEST CERMAK ROAD,  
BERWYN, ILLINOIS**

Thereafter, Lovero made a motion, seconded by Erickson 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, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Nays: Phelan.

11. The Law department submitted a communication along with an ordinance entitled:

**AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, APPROVING A FIRST AMENDMENT TO THE SUBLEASE AGREEMENT BY AND BETWEEN THE CITY OF BERWYN AND HARLEM EMPRESSO, LLC**

Thereafter, Chapman made a motion, seconded by Lovero, 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.

12. The Law department submitted a communication along with an ordinance entitled:

**AN ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, APPROVING AN ASSIGNMENT OF A SUBLEASE AGREEMENT BY AND BETWEEN THE CITY OF BERWYN, ALEX VESELY AND HARLEM EXPRESSO, L.L.C.**

Thereafter, Chapman made a motion, seconded by Lovero, 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.

13. Weiner made a motion, seconded by Skryd, to suspend the rules and bring forth item J-4. The motion carried. Item J-4 is a communication from Police Chief Kushner requesting approval to hire one officer from the Lateral Entry pool. Thereafter, Lovero made a motion, seconded by Weiner, to concur and approve as submitted and to waive the hiring freeze. The motion carried by a unanimous roll call vote.

14. The Mayor submitted a communication regarding the request for funding of Architect and Plans for Maple Pool. Thereafter, Lovero made a motion, seconded by Skryd, to excuse Alderman Phelan from the vote. The motion carried by a voice vote. Thereafter, Lovero made a motion, seconded by Erickson, to concur. The motion carried by a unanimous roll call vote with Phelan excused.

15. The Mayor submitted a communication regarding Red Speed cameras. Thereafter, Chapman made a motion, seconded by Ramos, to concur and approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Nays: Phelan
16. The Mayor submitted a communication regarding Police Sergeant Promotion. Thereafter, the Mayor requested a motion for the matter to be withdrawn. Thereafter, Ramos made a motion, seconded by Weiner, to withdraw the communication. The motion carried by a voice vote.
17. The Mayor submitted a communication regarding the Snow Removal Process. Thereafter, Lovero made a motion, seconded by Chapman, to concur. The motion carried by a unanimous roll call vote.
18. The Zoning Board of Appeals submitted a Resolution and Ordinance regarding T-Mobile Central LLC, 6940 West Ogden Avenue. Thereafter, Erickson made a motion, seconded by Chapman, to concur and adopt the ordinance and resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
19. Alderman Erickson submitted a communication regarding a request for a temporary building at St Mary of Celle's, 1428 Wesley. After discussion, Erickson made a motion, seconded by Weiner, to defer the matter for 2 weeks. The motion carried by a voice vote.
20. The Berwyn Historic Preservation Commission submitted a communication regarding Budget Line Item Request. After discussion, Skryd made a motion, seconded by Chapman, to concur and to include in the 2009 Budget. The motion failed by the following roll call: Yeas: Chapman, Weiner, Skryd, Lovero. Nays: Ramos, Day, Phelan, Erickson, O'Connor. After further discussion, Skryd made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
21. Alderman Weiner submitted a communication regarding AT &T Boxes. After discussion, Weiner made a motion, seconded by Skryd, to refer the matter to the Public Works director and the Committee of the Whole. The motion carried by a voice vote.
22. Alderman Chapman submitted a communication regarding the 3600 block of Wenonah Avenue extend "Resident Parking Only" hour. Thereafter, Chapman made a motion, seconded by Skryd, to concur and to refer the

matter to the Traffic Engineer for implementation. The motion carried by a unanimous roll call vote.

23. Alderman Chapman submitted a communication regarding the 3300 block of Grove Avenue request superzone "Permit Parking Only". . Thereafter, Chapman made a motion, seconded by Weiner to concur and to refer the matter to the Traffic Engineer for implementation. The motion carried by a unanimous roll call vote.
24. Alderman Chapman submitted a communication regarding Windsor Avenue conflicting signage problems versus our written ordinances. Thereafter, Chapman made a motion, seconded by Weiner to concur and to refer the matter to the Traffic Engineer for implementation. The motion carried by a voice vote.
25. A deferred communication from the building director regarding the disposal of two (2) Inspector Vehicles. Thereafter, Erickson made a motion, seconded by Day, to concur and refer the matter to the Finance director. The motion carried by the following roll call: Yeas: Ramos, Weiner, Day, Lovero, Erickson. Nays: Chapman, Skryd, Phelan.
26. The Traffic engineer submitted a communication regarding Parking in the Stanley, Windsor Avenue area. After discussion, Chapman made a motion, seconded by Skryd, to concur with the recommendation and refer the matter to the Law department for drafting. The motion carried by a unanimous roll call vote.
27. The Assistant Fire Chief submitted a communication regarding Change Orders to the 16<sup>th</sup> Street firehouse construction. Thereafter, Skryd made a motion, seconded by Phelan to concur and approve for payment in an amount not to exceed \$13,039. The motion carried by a unanimous roll call vote.
28. The Finance director submitted a communication regarding the Accounts Payable. Thereafter, Weiner made a motion, seconded by Skryd, to concur and approve for payment in the total amount of \$1,212,834.10. The motion carried by a unanimous roll call vote.
29. The Collector submitted a communication regarding the Cost of Vehicle Stickers. Thereafter, Skryd made a motion, seconded by Erickson, to accept the matter as informational. The motion carried by a voice vote.

BERWYN CITY COUNCIL  
JANUARY 27, 2009

30. The Collector submitted a communication regarding the Cost of Business License Seals. Thereafter, Skryd made a motion, seconded by Erickson, to accept the matter as informational. The motion carried by a voice vote.
31. The Consent Agenda K-1 through K-6 were submitted.  
K-1-The budget chairman submitted the payroll for January 21, 2009 in the total amount of \$933,842.33  
K-2-The Collector submitted the business licenses issued for Dec., 2008  
K-3-Weiner-handicap request, I. Morales, 6915 W. 29<sup>th</sup> Place-Approve  
K-4-Phelan-handicap request, C. Caputo, 1929 East Avenue-Approve  
K-5-Lovero-handicap request, M. Miranda, 1628 Grove Avenue-Approve  
K-6-South Berwyn Education Foundation-3<sup>rd</sup> Annual Kelly Miller Circus  
Thereafter, Erickson made a motion, seconded by Ramos, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.
32. The Mayor called a Committee of the Whole meeting for Wednesday, February 4, 2009 at 7:00 pm for a Budget Workshop  
A Committee of the Whole was called for Tuesday, February 10, 2009 at 6:00 pm for referrals
33. Alderman Skryd called for an Administration committee meeting on Monday, February 9, 2009 at 6:00 pm for referrals
34. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Erickson, to adjourn at the hour of 9:05 pm. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk