

AGENDA
BERWYN CITY COUNCIL

Regular Meeting
January 24, 2017
8:00 PM

The Mayor and City Council welcome you.

Please note: comments are permitted only during Open Forum and only for items not already on the agenda. When called upon by the Mayor, kindly state your name and address for the record. Thank you for your participation.

- A. Pledge of Allegiance and Moment of Silence
- B. **Open Forum**
- C. **Approval of Minutes**
 - 1. Regular City Council and Committee of the Whole meetings held on 1/10/2017 Pg 2
- D. **Bid Openings**
- E. **Berwyn Development Corp., Berwyn Township/Health District**
 - 1. 2017 BDC Special Event Schedule Pg 5
 - 2. City of Berwyn 2017 Integrated Marketing Campaign Pg 6
- F. **Reports from the Mayor**
 - 1. Resolution for Luna Iovinelli Pg 8
- G. **Reports from the Clerk**
 - 1. Approval of Closed Committee of the Whole meeting minutes of December 13, 2016 Pg 9
- H. **Zoning Boards of Appeals**
 - 1. Request for Conditional Use for a Meeting Hall and Group Medical Center at 6832-6840 W. Ogden – Adelante Community Health Center/Ordinance Pg 10
 - 2. Request for Variation for First Floor Residential Use and Parking Lot at 3133-3137 & 3145 S. Oak Park – Berwyn Apartments, L.P./Ordinance Pg 20
- I. **Reports from the Aldermen, Committees and Board**
- J. **Reports from the Staff**
 - 1. Fire Chief: Promotion Appointment – Lieutenant Michael Lyons Pg 30
 - 2. Fire Chief: Promotion Appointment – Engineer Robert Pilch Pg 31
 - 3. Fire Chief: Promotion Appointment – Engineer James Michalek Pg 32
 - 4. City Attorney: Settlement of Case No. 2015 L009017 Pg 33
 - 5. Acting Police Chief: Request to hire one (1) Probationary Police Officer Pg 34
 - 6. Acting Police Chief: Pay Membership Dues & Approve a Contract with Police Law Institute Pg 35
 - 7. Public Works Director: Residential Street Light LED Retrofits Pg 42
 - 8. Building Director: Demolition of 1318 S. Harvey Pg 44
 - 9. Finance Director: Surplus Property Auction Sale Pg 45
- K. **Consent Agenda**
 - 1. Payroll – 1/11/2017: \$1,244,777.29 Pg 46
 - 2. Payables – 1/24/2017: \$1,389,681.39 Pg 47
 - 3. Handicap Parking Space Application #1131 – 1909 S. Wisconsin – Override to Approve Pg 53

_____ - Thomas J. Pavlik, MMC

Total items: 19

C-1

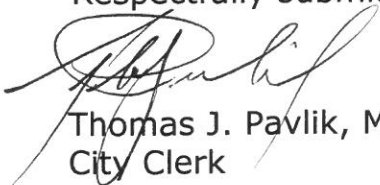
MINUTES
BERWYN CITY COUNCIL
January 10, 2017

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, Fejt, Santoy, Polashek, Avila and Laureto. Absent: None.
2. The Pledge of Allegiance was recited and a moment of silence was given for the family of Arthur E. Rawers, former Village Clerk of Stickney and father-in-law of Mayor Robert J. Lovero; Joseph P. Lotito Sr., former Berwyn Police & Fire Commissioner and father of Fire Captain Joseph Lotito Jr., for the men and women protecting our safety on the streets of Berwyn, in the Armed Forces, all Veterans and for the homeless.
3. The open forum portion of the meeting was announced. Resident Paul Morten invited all to attend Trivia Night at St. Leonard Church on Saturday, January 14, 2017.
4. The minutes of the regular Berwyn City Council and of the Committee of the Whole meetings held on December 27, 2016 were submitted. Thereafter, Avila made a motion, seconded by Laureto, to concur, approve as submitted and place same on file for audit. The motion carried by a voice vote.
5. Chapman made a motion, seconded by Boyajian, to suspend the rules and bring forward agenda item J-5. The motion carried. Item J-5 is a communication from the Berwyn Fire Department Battalion Chief Mario Manfredini regarding the recognition of the 2016 Fire Prevention Week Coloring Contest winners. The Mayor recognized Battalion Chief Mario Manfredini who reviewed same and awarded the three children from Jefferson School. Thereafter, Avila made a motion, seconded by Laureto, to concur. The motion carried by a voice vote.
6. The Zoning Board of Appeals submitted a communication Requesting Variations for a Residential Addition at 1314 S. Grove Avenue Lucia & Luis Carrizales and an attached ordinance entitled:
AN ORDINANCE APPROVING VARIATIONS TO ALLOW A BUILDING ADDITION ON A PROPERTY IN THE A-1 SINGLE-FAMILY RESIDENCE DISTRICT AT 1314 S. GROVE AVENUE, BERWYN, ILLINOIS
Thereafter, Laureto made a motion, seconded by Avila to concur, **adopt** the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following call of the roll: Yeas: Chapman, Boyajian, Avila and Laureto. Nays: Paul, Fejt and Polashek. Abstain: Santoy.
7. Fire Chief O'Halloran submitted a communication regarding the appointment of Probationary Firefighter/Paramedic Ian Proce. Avila made a motion, seconded by Polashek, to concur and approve the appointment as submitted. The motion carried by a voice vote. Thereafter, Clerk Pavlik administered the Oath of Office.

BERWYN CITY COUNCIL MINUTES
January 10, 2017

8. Fire Chief O'Halloran submitted a communication requesting permission to contact the Fire and Police Commission to promote the next available Lieutenant. Thereafter, Avila made a motion, seconded by Laureto, to concur and approve as submitted. The motion carried by a voice vote.
9. Fire Chief O'Halloran submitted a communication requesting permission to contact the Fire and Police Commission regarding a seniority promotion of a Senior Firefighter to the rank of Engineer. Thereafter, Avila made a motion, seconded by Laureto, to concur and approve as submitted. The motion carried by a voice vote.
10. Fire Chief O'Halloran submitted a communication requesting permission to contact the Fire and Police regarding a seniority promotion of a Senior Firefighter to the rank of Engineer. Thereafter, Avila made a motion, seconded by Polashek, to concur and approve as submitted. The motion carried by a voice vote.
11. Avila made a motion, seconded by Chapman, to suspend the rules and bring forward consent agenda item K-4. The motion carried. Item K-4 is a letter from JenCare requesting permission to have a mobile unit parked in front of their business for 2 hours; 2 days a week throughout the 2017 calendar year. Thereafter, Avila made a motion, seconded by Chapman, to concur contingent upon the review and approval of the Traffic Engineer. The motion carried by a voice vote.
18. The consent agenda, items K-1 through K-3 and K-5 through K-6 were submitted:
 1. Payroll – 12/28/16 \$1,117,244.72 – Approved
 2. Payables – 1/10/17 \$1,655,145.25 – Approved
 3. Handicap Parking Space Application #1136 – 1339 S. Wisconsin – Approved
 5. Collection and Licensing Department for the month of December, 2016
 6. Building and Local Improvement Permits issued in the month of December, 2016Thereafter, Avila made a motion, seconded by Laureto, to concur, approve as submitted by omnibus vote designation. The motion carried by a voice vote.
19. 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 8:14 p.m. The motion carried by a voice vote.

Respectfully submitted,



Thomas J. Pavlik, MMC
City Clerk

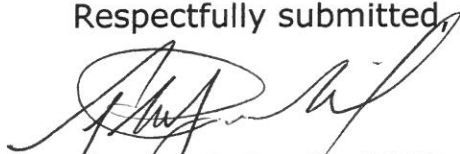
**MINUTES
BERWYN CITY COUNCIL
COMMITTEE OF THE WHOLE
January 10, 2017**

1. Mayor Lovero called the Committee of the Whole to order at 7:15 p.m.; upon the call of the roll the following responded present: Chapman, Boyajian, Paul, Fejt, Polashek, Avila and Laureto. Absent: Santoy. Thereafter, Avila made a motion, seconded by Laureto, to excuse Alderman Santoy. The motion carried.
2. The Mayor stated that the three items listed on the agenda needed to be discussed in Closed Session regarding real estate and asked if there were any question on tonight's City Council agenda. Alderman Paul questioned item K-4, from JenCare and if the mobile van would obstruct any diagonal parking spaces and/or obstruct traffic. Clerk Pavlik noted that he had the same concerns and had tried to contact Senior Engineer Nicole Campbell regarding same. Pavlik also stated that the approval letter sent from the Clerk's office states that this is approved contingent upon JenCare contacting the Senior Traffic Engineer for review and recommendations for signage and/or barricades. The Mayor suggested to pull the item from the consent agenda and to stipulate that in any motion to approve.
3. The Mayor asked for a motion to close the Committee of the Whole for real estate. Thereafter, Avila made a motion, seconded by Laureto, to close the Committee of the Whole at 7:17 p.m. The motion carried.

Please Note: Alderman Santoy present in Closed Session at 7:19 p.m.

4. Avila made a motion in Closed Session, seconded by Chapman, to re-open the Committee of the Whole at 7:38 p.m. The motion carried.
5. Chapman made a motion, seconded by Laureto, to adjourn the Committee of the Whole at 7:38 p.m. The motion carried.

Respectfully submitted,



Thomas J. Pavlik, MMC
City Clerk

January 20, 2017

The Honorable Robert J. Lovero, Mayor
Members of the Berwyn City Council
Berwyn City Hall
6700 W. 26th Street
Berwyn, IL 60402

Re: 2017 BDC Special Event Schedule

Dear Mayor and Members of the City Council:

The Berwyn Development Corporation is requesting approval for their 2017 annual events. The dates are as follows:

<u>Event</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
Depot Mini-Golf Pub Crawl	Sat., 4/22	12pm-6pm	Depot Area
Depot District Clean Sweep Garage Sale	Sat., 6/3	8am-3pm	Municipal Parking Facility
Cruise Nites	June 6 & 20	6pm-9pm	Depot Area
Cruise Nites	July 18	6pm-9pm	Depot Area
Taste of Cermak	Thurs, 7/27	5pm-9pm	Cermak Road
Cruise Nites	August 1 & 15	6pm-9pm	Depot Area
Rt. 66 Car Show	Sat., 8/26	7am-4pm	Ogden Avenue
Oktoberfest	Fri., 9/15	6pm-11pm	Depot Area
Oktoberfest	Sat., 9/16	12pm-11pm	Depot Area
Zombie Walk	Sat., 10/21	6pm-11pm	Roosevelt Road

We are requesting City Council approval and permission for all of the above listed events. All proper licensing, insurance and free City services (Police, Fire and Public Works) are necessary and contingent upon your approval. As in the past, some areas will need to be blocked off a day prior to the event, for the day of the event, and for proper cleanup.

Respectfully submitted for your consideration



Anthony Griffin
Executive Director



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January 20, 2017

**Mayor Robert J. Lovero
Members of the Berwyn City Council
Berwyn City Hall
6700 West 26th Street
Berwyn, IL 60402**

City of Berwyn 2017 Integrated Marketing Campaign

Dear Mayor and City Council,

The BDC is seeking consideration of the 2017 Integrated Marketing Program budget. The program is fully funded by the City's TIF districts and a budgeted marketing cost within the respective TIF budgets. The budget is the same as the previous three years.

The campaign continues to be one the most talked about programs among real estate professionals, municipalities, and planning agencies. Berwyn is being used as a case example of attracting new residents, millennials and achieving population gain by The Metropolitan Mayors Caucus in partnership with the Metropolitan Planning Council and CMAP. The study will be incorporated into their housing strategies toolkit, Home Grown to assist the many other municipalities that are experiencing population declines in the metro Chicago area. While there is more to this effort for the City of Berwyn, the marketing program serves as an important component of the overall strategy to raise the awareness of our City.

Same as the previous program years, the BDC will oversee the logistical coordination of all activities relating to this program and would operate with a budget cap set at a maximum amount (\$80,000). Our recommendation at this time is to approve the 2017 Integrated City Marketing Campaign with a budget of \$80,000. This approval will allow the City to lock in prime real estate locations and begin the design services in order to continue Berwyn's brand program through the iconic marketing campaign.

Respectfully submitted for you consideration,

Anthony W. Griffin

3322 S. Oak Park Avenue
Second Floor
Berwyn, IL 60402
708.788.8100
fax: 708.788.0966
www.berwyn.net



BERWYN

illinois

2017 Integrated Marketing Campaign Budget

Outdoor - Billboards	63,000
Outdoor - CTA	
Platforms	10,000
Market Days	5,000
Booth Activation & Other Ads	2,000
	<hr/>
	80,000

F-1
The City of Berwyn



Robert J. Lovero
Mayor

A Century of Progress with Pride

Date: January 24, 2017

To Members of City Council

Re: **Resolution for Luna Iovinelli**

Please concur with the attached resolution for Luna Iovinelli for her dedicated service to the City of Berwyn and extend our best wishes on her well-deserved retirement. We thank Luna for her many years of hard work for the City of Berwyn in the position of Accounts Payable Clerk.

Sincerely,

Robert J. Lovero
Mayor



A Century of Progress with Pride

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PROCLAMATION

WHEREAS, Luna Iovinelli will be retiring on January 27, 2017, and we would like to express our appreciation for her 28 years of service with the City of Berwyn; and

WHEREAS, Luna began her career with the City of Berwyn on April 12, 1988 as a switchboard operator. Eventually, she transitioned to the Finance Department where she has spent the majority of her tenure in Accounts Payable. In performing this key role, she has provided excellent communication to all vendors as well as the City's various departments, while ensuring that all of the City's payments have been processed timely and accurately; and

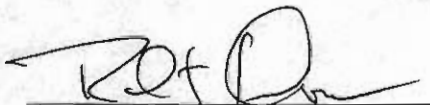
WHEREAS, Luna has been married to John for 51 years and together they have three children, Mary, Michael, and Patrick, and six grandchildren; and


WHEREAS, Luna has been a devoted Berwyn citizen and her family has called Berwyn home for the past 38 years; and

WHEREAS, Luna is looking forward to retirement so she can spend time with her husband, children, and grandchildren, as well as catching up on traveling, shopping, and relaxing.

NOW THEREFORE, I Mayor Robert J. Lovero and members of the Berwyn City Council do hereby proclaim January 27, 2017 as Luna Iovinelli Day in the City of Berwyn and extend our hopes for a healthy and happy retirement and our appreciation for a job well done.

Entered, upon the records of the City of Berwyn this 24th day of January 2017.


Robert J. Lovero, Mayor


Thomas J. Favlik, City Clerk





A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675
www.berwyn-il.gov

Date: January 24, 2017

To: Mayor and City Council

From: Tom Pavlik, City Clerk

Re: Approval of Closed COW Minutes of December 13, 2016

Ladies and Gentleman;

I request your concurrence on approving the Closed Committee of the Whole Minutes of December 13, 2016, as reviewed in Closed Session on January 10, 2017.

Sincerely,

Thomas J. Pavlik, MMC

111

Mayor
Robert J. Lovero



City Clerk
Thomas J. Pavlik

A CENTURY OF PROGRESS WITH PRIDE

6700 W 26th Street • Berwyn, IL 60402 • Ph: (708) 788-2660 • Fax: (708) 788-2675 • Berwyn-IL.gov

Zoning Board of Appeals

Dominick Castaldo
Joel Chrastka
Douglas Walega
Richard F. Bruen, Jr.
Lance C. Malina
Don Miller
Alicia M. Ruiz

January 17, 2017

Re: Request for Conditional Uses for a Meeting Hall and Group Medical Center at 6832-6840 W. Ogden Avenue – Adelante Community Health Center

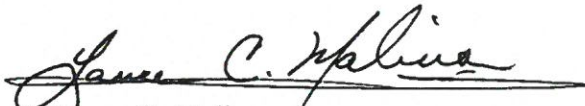
Mayor Lovero and Members of the City Council:

Attached for your consideration are Findings of Fact from the Zoning Board of Appeals relative to a request for Conditional Uses for a Meeting Hall and Group Medical Center on property located at 6832-6840 W. Ogden Avenue, as well as an Ordinance approving the Conditional Use requests. The Petition was filed by Manuel E. Alva/Adelante Community Health Center. The Property is located in the C-3 General Services Zoning District.

Attached to the Findings of Fact are Exhibits from the Public Hearing.

The recommendation of the ZBA in this matter was to APPROVE the request for Conditional Uses on a vote of 7-0.

Respectfully,


Lance C. Malina
Executive Secretary,
Berwyn Zoning Board of Appeals

CITY OF BERWYN

ORDINANCE NO. _____

AN ORDINANCE APPROVING A CONDITIONAL USE FOR MEETING HALL AND GROUP MEDICAL CENTER USES IN THE C-3 GENERAL SERVICES ZONING DISTRICT AT 6832-6840 W. OGDEN AVENUE, BERWYN, ILLINOIS – ADELANTE COMMUNITY HEALTH CENTER

WHEREAS, a request (the "Application") seeking a conditional use to operate a meeting hall use and group medical center use in the building located at 6832-6840 W. Ogden Avenue, Berwyn, Illinois, (the "Subject Property"), in the C-3 General Services Zoning District, was filed by Petitioner Manuel E. Alva/Adelante Community Health Center (the "Applicant") with the City of Berwyn; and

WHEREAS, the Applicant seeks to redevelop the existing building on the Subject Property into a group medical facility with a restaurant space and meeting space, all with a focus on holistic living principles. Both a meeting hall use and group medical center use require a conditional use in the C-3 General Services Zoning District pursuant to the Zoning Code of the City of Berwyn ("Zoning Code"); and

WHEREAS, the Subject Property is legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Application has been referred to the Zoning Board of Appeals of the City ("Board of Appeals") and has been processed in accordance with the Zoning Code, as amended; and

WHEREAS, on December 21, 2016, the Board of Appeals held a public hearing on the Application pursuant to notice thereof given in the manner required by law, and, after considering all of the testimony and evidence presented at the public hearing, the Board of Appeals recommended approval of the Application by a vote of 7-0, all as set forth in the Findings and Recommendation of the Board of Appeals in this matter ("Findings and Recommendation"), a copy of which is attached hereto as Exhibit B; and

WHEREAS, the City Council of the City have duly considered the Findings and Recommendation of the Board of Appeals, and all of the materials, facts and circumstances affecting the Application, and, in accordance with the Findings and Recommendation of the Board of Appeals, find that the Application satisfies the standards set forth in Section 1268.05 of the Zoning Code relating to conditional uses.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Berwyn, Cook County and State of Illinois, as follows:

Section 1: Incorporation. The foregoing recitals are incorporated into this Section 1 by reference as findings of the City Council.

Section 2: Approval of Conditional Uses for a Meeting Hall and Group Medical Center. The City Council, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approve and adopt the findings of fact and recommendation of the Zoning Board of Appeals, a copy of which is attached hereto as **Exhibit B**, and incorporate such findings and recommendation by reference as if fully set forth herein. The City Council further approves conditional use permits for a meeting hall and group medical center to locate in the C-3 General Services Zoning District on the Subject Property located at 6832-6840 W. Ogden Avenue, Berwyn, Illinois, as legally described in **Exhibit A**.

Section 3: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the City shall be grounds for the immediate rescission by the City Council of the approvals made in this Ordinance.

Section 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2017.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____ 2017.

Robert J. Lovero, Mayor

ATTEST:

Thomas J. Pavlik, City Clerk

Published by me in pamphlet form this ____ day of _____, 2017.

Thomas J. Pavlik, City Clerk

EXHIBIT A

LOTS 12 AND 13 IN BLOCK 50 A SUBDIVISION OF BLOCK 45 AND 47 TO 52 IN CIRCUIT COURT PARTITION OF SECTION 31 AND 32, TOWNSHIP 39 NORTH, RANGE 13, AND PARTS OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 13, AND SECTION 1 AND 12, TOWNSHIP 38 NORTH, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 16-31-314-012-0000 & 16-31-314-013-0000

COMMONLY KNOWN AS: 6832 - 6840 W. Ogden Avenue, Berwyn, Illinois

EXHIBIT B
FINDINGS OF FACT
(ATTACHED)

**FINDINGS OF FACT AND RECOMMENDATION OF THE
CITY OF BERWYN ZONING BOARD OF APPEALS TO
THE MAYOR AND CITY COUNCIL**

December 21, 2016

APPLICATION: For a Conditional Use to Locate a Meeting Hall and Group Medical Center Use in the C-3 General Services Zoning District at 6832-6840 W. Ogden Avenue, Berwyn, Illinois.

PETITIONER: Manuel E. Alva/Adelante Community Health Center

PROPERTY OWNER: Adelante Community Health Center

PROPERTY: 6832-6840 W. Ogden Avenue, Berwyn, Illinois (the "Property")

SUMMARY OF REQUEST AND RECOMMENDATION: The City of Berwyn has received a request from Petitioner Manuel E. Alva/Adelante Community Health Center for a Conditional Use to locate a meeting hall use and group medical center use on property in a C-3 General Services Zoning District at the Property commonly known as 6832-6840 W. Ogden Avenue, Berwyn, Illinois. The Petitioner seeks to redevelop the existing building into a medical facility with a restaurant space and meeting space, with a focus on holistic living principles. Group medical centers and meeting halls are both conditional uses in the C-3 General Service Zoning District, pursuant to Section 1260.02 of the Zoning Code of the City of Berwyn ("Zoning Code").

Following a public hearing which was held on December 21, 2016, the Zoning Board of Appeals of the City of Berwyn ("ZBA") recommended **APPROVAL** of the requested conditional use on a vote of 7-0.

BACKGROUND: The Property has an existing building most recently used as a House of Credit. Petitioner proposes to redevelop the existing building into a medical facility with a restaurant space and meeting space, with a focus on holistic living principles.

Staff determined that a conditional use was required for both the meeting hall and group medical center uses pursuant to the provisions of the Zoning Code. Petitioner then filed an application requesting approval of the conditional uses to allow the proposed uses at the Property.

PUBLIC HEARING: The public hearing on Petitioner's conditional use requests was held on December 21, 2016. Dr. Alva testified that he is a doctor at MacNeal Hospital in Berwyn, where he helps patients focus on a healthy lifestyle and diet. He has worked out of the MacNeal Professional Building, but has found it difficult to do and has grown

out of the space. Dr. Alva, his wife and their friends espouse a holistic philosophy and teach a way of life. Two (2) of Dr. Alva's friends are handicapped physicians who will use the facility once or twice a week. The purpose of the meeting hall use is to teach the way of life. A small restaurant with special plant-based food will also be a part of the complex. Dr. Alva follows the philosophy he espouses in his own diet and lifestyle.

The complex will consist of approximately 1,845 square feet of restaurant space, 3,595 square feet of meeting hall space, and 4,160 square feet for the group medical center use. Thirty two (32) parking spaces already exist on-site, and there are seven (7) additional spaces adjacent to the Property on Grove. He will fence the parking area. He intends to preserve the existing green space on the site.

There will be four (4) doctors with office space on the site, and three (3) employees. The complex will have a total of approximately twelve (12) employees. It is anticipated that fifteen (15) to twenty (20) patients will visit per day.

The restaurant and office space will be open from 9:30 a.m. to 7:30 p.m. each day. The complex will also sell books and healthy food. They anticipate providing instructions to schools either off-site or on-site. No tuition will be charged. Training will include training on plant nutrition. Volunteers will assist them in their operation.

There being no further questions or members of the public wishing to speak on the application, the Public Hearing was closed.

Exhibits marked during the course of the Public Hearing included: **Exhibit A:** the Notice of Public Hearing published on December 4, 2016 and **Exhibit B,** Petitioner's application for the conditional uses and supporting materials.

The Area Investigator appointed in this matter was ZBA Member Doug Walega. Member Walega discussed his investigation, including his visit to the Property. He noted, among other things, the irregular shape of the building. The subject area of holistic medicine is gaining in popularity. He found the project to be a nice one.

The other members of the ZBA each then in turn expressed their views on the proposed conditional uses.

Member Walega made a motion to recommend to the City Council that it approve the request of Petitioner to allow the meeting hall and group medical center conditional uses on the Property. The motion was seconded by Member Ruiz. The vote on the motion was seven (7) in favor and none (0) opposed.

FINDINGS: The ZBA makes the following Findings as to the proposed conditional uses:

- (A) **The proposed use and development at the particular location requested is necessary or desirable, provides a service or a facility which is in the**

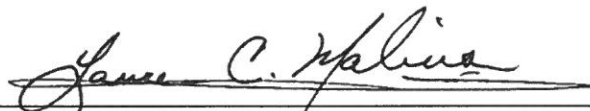
interest of public convenience and will contribute to the general welfare of the neighborhood or community. The Petitioner's proposed uses focus on health and wellness, and their focus on holistic medicine and a healthy lifestyle are increasing in popularity. The uses will provide beneficial and desirable services at this location that will contribute to the general welfare of the neighborhood and community. This standard has been met.

- (B) **The proposed use and development will, under the circumstances of the particular case, not be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity.** The proposed use will utilize an existing vacant space for a desirable purpose. The uses will be beneficial to the health and general welfare. No anticipated detrimental effects are evident. This standard has not been met.
- (C) **The proposed use and development will be in harmony with the general and specific purposes for which the Zoning Code was enacted, and for which the regulations of the district in question were established, and with the general purpose and intent of the Official Comprehensive Plan.** The members of the ZBA felt that the proposed use would provide a complement to the existing and planned uses in the immediate area, and was consistent with the goals and purposes of the Zoning Code.
- (D) **The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity, and will not interfere with the use and development of neighboring property.** The build out at the Property is on the interior only. The building already exists and is currently vacant. Parking is adequate to support the proposed uses. The area is fully built out. This standard has been met.
- (E) **The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.** The number of patients, customers and employees visiting the Property on a typical day is not excessive. No undue traffic congestion is anticipated and the uses are on a major commercial thoroughfare. There is existing parking on-site and no parking variations are required.
- (F) **The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries and schools, or the applicant will provide adequately for the services.** The public facilities and services necessary to serve the Property are already in place.
- (G) **The proposed use and development will be served by parking areas that are of adequate size, properly located and suitably screened from adjoining residential uses.** Parking on site is existing and adequate to serve the uses. No parking variation is required. This standard has been met.
- (H) **The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.**

The proposed use will be in an existing vacant building and commercial space. The exterior of the building will not be altered. Existing green space on the Property will be maintained.

- (I) **The proposed use and development will comply with the regulations and conditions specified in the Zoning Code for the use, and with the stipulations and conditions made a part of the authorization granted by Council.** The ZBA finds this standard to have been met.

RECOMMENDATIONS: Based upon the foregoing Findings, the ZBA, by a vote of 7-0, recommends to the Mayor and City Council that the conditional uses for a meeting hall and group medical center requested by Petitioner Manuel E. Alva/Adelante Community Health Center at 6832-6840 W. Ogden Avenue, Berwyn, Illinois, in the C-3 General Services Zoning District, be **APPROVED**.

Signed: 
Lance C. Malina, Executive Secretary
Zoning Board of Appeals
City of Berwyn

H-2

Mayor
Robert J. Lovero



City Clerk
Thomas J. Pavlik

A CENTURY OF PROGRESS WITH PRIDE

6700 W 26th Street • Berwyn, IL 60402 • Ph: (708) 788-2660 • Fax: (708) 788-2675 • Berwyn-IL.gov

Zoning Board of Appeals

Dominick Castaldo
Joel Chrastka
Douglas Walega
Richard F. Bruen, Jr.
Lance C. Malina
Don Miller
Alicia M. Ruiz

January 17, 2017

Re: Request for Variations for First Floor Residential Use and Parking at 3133-3137 & 3145 S. Oak Park Avenue – Berwyn Apartments, L.P./Rodger Brown

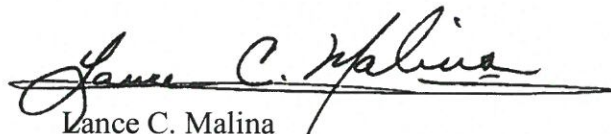
Mayor Lovero and Members of the City Council:

Attached for your consideration are Findings of Fact from the Zoning Board of Appeals relative to a request for Variations related to a multi-family building redevelopment proposed at 3133-3137 & 3145 S. Oak Park Avenue, as well as an Ordinance approving the Variations. The Petition was filed by Petitioner Berwyn Apartments, L.P./Rodger Brown. The Property is located in the C-2 General Commercial Zoning District. The Variations requested are from the prohibition on first floor residential use set forth in Section 1258.04 (Conditions of Residential Use) of the Zoning Code of the City of Berwyn, and from the requirement in Section 1254.10(E) (Off-Street Parking) that one parking space be provided per dwelling unit for multi-family buildings, in order to provide 23 parking spaces, instead of the 28 spaces required for the building by the Zoning Code.

Attached to the Findings of Fact are Exhibits from the Public Hearing.

The recommendation of the ZBA in this matter was to APPROVE the request for Variations on a vote of 7-0.

Respectfully,


Lance C. Malina
Executive Secretary,
Berwyn Zoning Board of Appeals

CITY OF BERWYN

ORDINANCE NO. _____

AN ORDINANCE APPROVING VARIATIONS TO ALLOW FIRST FLOOR RESIDENTIAL UNITS AND FOR PARKING RELATIVE TO PROPERTY IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT AT 3133-3137 & 3145 S. OAK PARK AVENUE, BERWYN, ILLINOIS – BERWYN APARTMENTS, L.P./RODGER BROWN

WHEREAS, an application (the “Application”) from Petitioner Berwyn Apartments, L.P./Rodger Brown (“Petitioner”) requesting Variations to allow first floor residential units and for a reduction in required parking spaces at the property located in the C-2 General Commercial Zoning District at 3133-3137 S. Oak Park Avenue and at 3145 S. Oak Park Avenue (the “Subject Property”), was filed with the City of Berwyn; and

WHEREAS, the Petitioner seeks to redevelop the existing three (3) story former hotel building on the property into 28 apartments, and to demolish an existing vacant retail building for use as parking for the residential apartments. First floor residential units are prohibited in the C-2 General Commercial Zoning District, and a Variation is therefore required from Section 1258.04 (Conditions of Residential Use) of the Zoning Code of the City of Berwyn in order to allow the proposed first floor residential units. The Petitioner also requests a Variation from Section 1254.10(E) (Off-Street Parking) requiring one parking space per dwelling unit for multi-family buildings, in order to provide 23 parking spaces, instead of the 28 spaces required for the building by the Zoning Code of the City of Berwyn; and

WHEREAS, the Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Application has been referred to the Zoning Board of Appeals of the City (“Board of Appeals”) and has been processed in accordance with the Zoning Code, as amended; and

WHEREAS, on December 21, 2016, the Board of Appeals held a public hearing on the Application pursuant to notice thereof given in the manner required by law, and, after considering all of the testimony and evidence presented at the public hearing, the Board of Appeals recommended approval of the Variations requested in the Application by a vote of seven (7) in favor and none (0) opposed, all as set forth in the Findings and Recommendation of the Board of Appeals in this matter (“Findings and Recommendation”), a copy of which is attached hereto as **Exhibit B**; and

WHEREAS, the City Council of the City has duly considered the Findings and Recommendation of the Board of Appeals, and all of the materials, facts and circumstances affecting the Application, and, finds that the Application satisfies the standards set forth in Section 1244.07 of the Zoning Code relating to variations.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Berwyn, Cook County and State of Illinois, as follows:

Section 1: Incorporation. The foregoing recitals are incorporated into this Section 1 by reference as findings of the City Council.

Section 2: Approval of Variations for First Floor Residential and Parking. The City Council, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approve and adopt the findings of fact and recommendation of the Zoning Board of Appeals, a copy of which is attached hereto as **Exhibit B**, and incorporate such findings and recommendation by reference as if fully set forth herein. The City Council further approves a Variation from the prohibition on first floor residential use set forth in Section 1258.04 (Conditions of Residential Use) of the Zoning Code of the City of Berwyn, and a Variation from the requirement in Section 1254.10(E) (Off-Street Parking) that one parking space be provided per dwelling unit for multi-family buildings, in order to provide 23 parking spaces, instead of the 28 spaces required for the building by the Zoning Code, on the Subject Property as legally described in **Exhibit A**.

Section 3: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the City shall be grounds for the immediate rescission by the City Council of the approvals made in this Ordinance.

Section 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2017.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____ 2017.

Robert J. Lovero, Mayor

ATTEST:

Thomas J. Pavlik, City Clerk

Published by me in pamphlet form this ____ day of _____, 2017.

Thomas J. Pavlik, City Clerk

EXHIBIT A

LOTS 33 THROUGH 38, BOTH INCLUSIVE, IN BLOCK 2 IN BERWYN, BEING A SUBDIVISION OF BLOCKS 4, 5, 12, 13, 20, 21, 28, 29, 34, 35, 36 AND 39 IN LAVERGNE, BEING A SUBDIVISION OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 16-31-200-013-0000 AND 16-31-200-014-0000

COMMONLY KNOWN AS: 3133 – 3137 S. OAK PARK AVENUE, AND 3145 S. OAK PARK AVENUE, BERWYN, ILLINOIS

EXHIBIT B
FINDINGS OF FACT
(ATTACHED)

**FINDINGS OF FACT AND RECOMMENDATION OF THE
CITY OF BERWYN ZONING BOARD OF APPEALS TO
THE MAYOR AND CITY COUNCIL**

December 21, 2016

APPLICATION: For Variations to allow first floor residential units and for a reduction in required parking spaces at property located in the C-2 General Commercial Zoning District at 3133-3137 S. Oak Park Avenue and at 3145 S. Oak Park Avenue, Berwyn.

PETITIONERS: Berwyn Apartments, L.P./Rodger Brown

PROPERTY: 3133-3137 S. Oak Park Avenue and at 3145 S. Oak Park Avenue, Berwyn, Illinois (the "Property")

SUMMARY OF REQUEST AND RECOMMENDATION: The City of Berwyn has received a request from Petitioner Berwyn Apartments, L.P./Rodger Brown ("Petitioner") for Variations to allow first floor residential units and for a reduction in required parking spaces at the Property located in the C-2 General Commercial Zoning District at 3133-3137 S. Oak Park Avenue and at 3145 S. Oak Park Avenue. The Petitioner seeks to redevelop the existing three (3) story hotel building on the property into 28 apartments, and to demolish an existing retail space for use as parking for the residential apartments. First floor residential units are prohibited in the C-2 General Commercial Zoning District, and a variation is therefore required from Section 1258.04 (Conditions of Residential Use) of the Zoning Code of the City of Berwyn in order to allow the proposed first floor residential units. The Petitioner also requests a Variation from Section 1254.10(E) (Off-Street Parking) requiring one parking space per dwelling unit for multi-family buildings, in order to provide 23 parking spaces, instead of the 28 spaces required for the building by the Zoning Code of the City of Berwyn.

Following a public hearing held on December 21, 2016, the Zoning Board of Appeals of the City of Berwyn ("ZBA") recommended approval of the requested Variations on a vote of 7-0.

BACKGROUND: The portion of the Property at 3133-3137 S. Oak Park Avenue is a former hotel that has been previously converted to a forty-four (44) unit hotel/single-room occupancy building. The portion of the Property located at 3145 S. Oak Park is a vacant retail building. Petitioners seek to rehabilitate the former hotel building into a twenty eight (28) unit apartment building and to demolish the adjacent retail building to provide twenty three (23) on-site parking spaces for the apartment residents. In order to carry out the rehabilitation, Petitioners are seeking the variations to allow first floor residential units, and for the required number of parking spaces.

PUBLIC HEARING: A public hearing related to the Variation requests took place at the December 21, 2016 ZBA meeting. At the public hearing, Jerry Schain, attorney for Petitioner, and Heidi Wang, architect, testified on behalf of Petitioner. Petitioner seeks to rehabilitate the existing Berwyn Hotel building by converting the existing forty four (44) unit single-room occupancy units to twenty eight (28) apartments, and by demolishing the adjacent vacant retail building to provide parking for the apartment residents. There are currently first-floor residential units, and Petitioner desires to maintain residential occupancy on the first floor. There is currently no parking for building residents, and Petitioner desires to provide a twenty three (23) space lot for the future occupants of the apartments.

The building rehabilitation will include replacement of existing stairways and non-functioning elevator, and replacement of the single-room occupancy units with apartments. While a portion of the first floor will be common areas (reception, office, lobby, community/library/computer room, bathrooms and a fitness room), five (5) first floor residential units are also proposed (four (4) one-bedroom units and one (1) two-bedroom unit). The basement will be used only for storage. A new fourth floor will be added to the building, increasing the building height by ten (10) feet from its existing thirty five (35) foot height. A new HVAC system will be added in order to eliminate the window air conditioning units currently used.

The building is currently in a decrepit state, as is the adjacent vacant retail building proposed for demolition. The retail building has been vacant since 2007. Petitioner believes the project will be an upgrade to the neighborhood. Seniors and small families are anticipated to be residents. The Property is close to public transportation.

The Petitioner has a budget of \$10.9 million dollars for the project. Petitioner will work with a relocation firm to assist current residents in finding appropriate housing. New residents will be subject to background checks, credit checks and employment verification. Occupancy is projected to occur by Fall of 2018.

Exhibits marked during the course of the Public Hearing included: **Exhibit 1**, the published legal notice for the public hearing, and the accompanying Certificate of Publication. **Exhibit 2** consisted of the full application for the relief sought by Petitioner.

There being no further questions or members of the public wishing to speak on the application, the Public Hearing was closed.

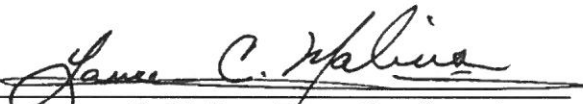
The Area Investigator appointed in this matter was ZBA member Rich Bruen. Mr. Bruen discussed his investigation and provided a thorough written report summarizing his investigation. A copy of the report is attached for informational purposes.

The other members of the ZBA each then in turn expressed their views on the proposed Variations. Following a motion to approve the Variations by Member Bruen, seconded by Member Castaldo, the ZBA recommended that the City Council approve the requested variations by a vote of 7-0.

FINDINGS: The ZBA makes the following Findings as to the proposed Variations:

- (A) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Zoning Code were carried out. The members of the ZBA felt that this standard had been met. The building, especially following rehabilitation, is visually attractive and desirable to retain. The first floor already is already partially used for residential use. The Petitioner is adding twenty three (23) parking spaces where there are presently none, but the size of the lot limits the ability to add the five (5) additional spaces required by the Code.
- (B) The conditions upon which an application for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification. The existing building, size of the building, and the site layout, are all unique.
- (C) The purpose of the variations is not based primarily upon a desire to increase financial gain. The Petitioner is a not-for-profit organization seeking to provide affordable housing.
- (D) The alleged difficulty or hardship is caused by the Zoning Code, and has not been created by any persons presently having an interest in the Property. The building is long existing. The Petitioner has taken steps to add parking where none presently exists, but is constrained by the size of the existing adjacent parcel.
- (E) The granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located. It is anticipated that the rehabilitation of this decrepit building will improve property values in the neighborhood. The building is currently occupied and the number of units is being decreased by sixteen units. Twenty three (23) parking spaces are being provided where none presently exist, and it is anticipated the building will appeal to persons who use public transportation. The retail building being demolished has been vacant for almost ten (10) years.
- (F) The granting of the variations will not alter the essential character of the neighborhood. The building, with residential units on the first floor, already exists. The commercial building being demolished is in poor condition and has been vacant for almost ten (10) years. The creation of a parking lot should relieve some current on-street parking.
- (G) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion of the public streets, increase the danger of fire, impair natural drainage, create drainage problems on adjacent properties, endanger the public safety or substantially diminish or impair property values within the neighborhood. The ZBA members felt that this requirement had been met.

RECOMMENDATIONS: Based upon the foregoing Findings, the ZBA, by a vote of 7-0, recommends to the Mayor and City Council that the request of Petitioner Berwyn Apartments, L.P./Rodger Brown, for a Variation from the prohibition on first floor residential use set forth in Section 1258.04 (Conditions of Residential Use) of the Zoning Code of the City of Berwyn, and a Variation from the requirement in Section 1254.10(E) (Off-Street Parking) that one parking space be provided per dwelling unit for multi-family buildings, in order to provide 23 parking spaces, instead of the 28 spaces required for the building by the Zoning Code of the City of Berwyn, be approved.

Signed: 
Lance C. Malina, Executive Secretary
Zoning Board of Appeals
City of Berwyn



J-1

BERWYN FIRE DEPARTMENT

6700 W. 26th Street • Berwyn, IL 60402-0701

708.788.2660 ext 3281

FAX 708.788.3039 • Emergency 9-1-1



Mayor Robert J. Lovero

Denis O'Halloran
Fire Chief
do'halloran@ci.berwyn.il.us

Sam Molinaro
Assistant Fire Chief
smolinaro@ci.berwyn.il.us

January 19, 2017

To: Honorable Mayor Robert Lovero

Members of City Council

From: Fire Chief Denis O'Halloran

Re: Swearing in of Lieutenant Michael Lyons

Honorable Mayor Robert Lovero & Members of City Council,

I am presenting newly appointed Lieutenant Michael Lyons for swearing in and introduction. The Promotion will be effective January 19, 2017. This is a replacement position due to the retirement of Lt. Dennis O'leary effective January 19, 2017. The position is budgeted for and is a replacement position.

Respectfully submitted,

Fire Chief Denis O'Halloran



Denis O'Halloran
Fire Chief
do'halloran@ci.berwyn.il.us

Sam Molinaro
Assistant Fire Chief
smolinaro@ci.berwyn.il.us

BERWYN FIRE DEPARTMENT

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708.788.2660 ext 3281
FAX 708.788.3039 • Emergency 9-1-1



Mayor Robert J. Lovero

January 19, 2017

To: Mayor Robert Lovero
Members of City Council

From: Fire Chief Denis O'Halloran

Re: Introduction and swearing in of newly appointed Seniority promotion to the position of Engineer due to vacancy in the rank Robert Pilch.

Honorable Mayor and members of City Council,

I would like to introduce our newly appointed Engineer Robert Pilch and present him for swearing in for the position. The specific assignment will be effective after the bidding process is completed. This position has been approved by Council and has been planned for in the budget. Effective start date of January 19th, 2017.

Respectfully submitted,

Denis O'Halloran
Fire Chief.



J-3

BERWYN FIRE DEPARTMENT

6700 W. 26th Street • Berwyn, IL 60402-0701

708.788.2660 ext 3281

FAX 708.788.3039 • Emergency 9-1-1



Mayor Robert J. Lovero

Denis O'Halloran
Fire Chief
do'halloran@ci.berwyn.il.us

Sam Molinaro
Assistant Fire Chief
smolinaro@ci.berwyn.il.us

January 19, 2017

To: Mayor Robert Lovero
Members of City Council

From: Fire Chief Denis O'Halloran

Re: Introduction and swearing in of newly appointed Seniority promotion to the position of Engineer due to vacancy in the rank James Michalek.

Honorable Mayor and members of City Council,

I would like to introduce our newly appointed Engineer James Michalek and present him for swearing in for the position. The specific assignment will be effective after the bidding process is completed. This position has been approved by Council and has been planned for in the budget. Effective start date of January 19th, 2017.

Respectfully submitted,

Denis O'Halloran
Fire Chief.



A Century of Progress with Pride

January 24, 2017

Thomas J. Pavlik
City Clerk
City of Berwyn
6700 W. 26th Street
Berwyn, IL 60402

Re: 2015 L009017

Dear Mr. Pavlik:

Please put this item on the January 24, 2017 agenda authorizing the settlement of the above referenced matter for the total of \$15,000.00 based upon City Council authority granted in Executive Session.

Very truly yours,

Anthony T. Bertuca

Anthony T. Bertuca
City Attorney



Mayor
Robert J. Lovero

BERWYN POLICE DEPARTMENT
"Serving with Pride"



Chief of Police
James D. Ritz

17 January 2017

Honorable Mayor Robert J. Lovero and
Members of the Berwyn City Council
6700 W. 26th Street
Berwyn, Illinois 60402

Re: Request to hire one (1) Probationary Police Officer

Ladies and Gentlemen:

I am respectfully requesting your approval in authorizing the hiring of one new Probationary Police Officer from the current Fire and Police Commission's Eligibility List. This request is to replace the vacancy that was created through the resignation of Probationary Police Officer Corey Jefferies on January 05, 2017.

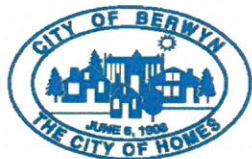
Thank you for your consideration of this request.

Respectfully submitted,

Michael D. Cimaglia
Acting Chief of Police
Berwyn Police Department

6401 West 31st St Berwyn, IL 60402 - Emergency 9-1-1 -708-795-5600 – Fax 708-795-5627

www.berwynpolicedepartment.com



Mayor
Robert J. Lovero

BERWYN POLICE DEPARTMENT

"Serving with Pride"



12 January 2017

Honorable Mayor Robert J. Lovero and
Members of the Berwyn City Council
6700 W. 26th Street
Berwyn, Illinois 60402

Re: Pay membership Dues and Approve a Contract with Police Law Institute

Ladies and Gentlemen:

I am respectfully requesting your approval in authorizing the spending of Nine Thousand Seven Hundred Forty-Six Dollars (\$9,746.00) and entering into an agreement with Police Law Institute, to fulfill the current and newly mandated training curriculum beginning and up-dating in 2017. The cost is at a special discounted rate for this year only and is expected to increase to over \$10,000.00.

Currently the Berwyn Police Department has a contract with North Eastern Metropolitan Recruit Training (NEMRT), however with the new training mandates that are scheduled to be released this year NEMRT has indicated that they will need assistance from Police Law Institute to guarantee that all police officers have the opportunity for fulfill their training mandates.

Any and all training conducted through the Police Law Institute is acceptable by the Illinois Training and Standards Board. I have enclosed a complete packet of the information regarding the Police Law Institute including the signed agreement. I would like to note that this is an annual recurring cost to remain members with the Police Law Institute.

Thank you for your consideration of this request if you have any questions that are not addressed in the provided material please feel free to contact me.

Respectfully submitted,

Michael D. Cimaglia
Acting Chief of Police
Berwyn Police Department
708-795-2102

6401 West 31st St Berwyn, IL 60402 - Emergency 9-1-1 -708-795-5600 – Fax 708-795-5627

www.berwynpolicedepartment.com

POLICE LAW INSTITUTE, INC.
PO Box 49
North Liberty, Iowa 52317-0049
Telephone (800) 554-5358

**MONTHLY LEGAL UPDATE & REVIEW™
SERVICE AND LICENSE AGREEMENT**

This Agreement governs your use and access to the MONTHLY LEGAL UPDATE & REVIEW™ Lessons and Examinations; the related documentation, publications, bulletins, reports and content; and all related components and tools (collectively, the “Package”) via the Internet. Your use of any portion of the Package is deemed acceptance of the terms and conditions herein. If you do not accept these terms and conditions do not access or use any portion of the Package.

I. LICENSE AND TERMS OF USE.

On the terms and subject to the conditions specified in this Agreement, Police Law Institute, Inc. (“PLI”) grants to User the nonexclusive right to use in accordance with this Agreement the information, content and tools accessed via the Police Law Institute’s web sites and available through the Package provided online. Only an individual or entity to whom PLI has assigned a USER ID and password (“User”) may access the Package. In no event may User offer the use of any portion of the Package as a part of a service bureau, time-sharing, or other similar arrangement. The Package is provided to the User for the personal use of the User and not for re-sale. Content may be used only for the purpose of User’s internal affairs and solely for administering training to law enforcement officers at User’s location authorized by PLI. User shall not repackage, redistribute or otherwise use any portion of the Package other than as specified above. All subsequent Package releases, updates, renewals and revisions available online will be governed under and subject to the same provisions as set forth in this Agreement.

II. PROPRIETARY RIGHTS OF PLI.

The User agrees that all portions of the Package (including, without limitation, the trade secrets, trademarks, copyrighted materials, files, confidential information, programs, documentation, records and instructions) are proprietary to PLI, and all right, title and interest therein shall remain the property of PLI. Without limiting the generality of the foregoing, all applicable rights and interests in copyrights, trademarks, trade names and trade secrets associated with or included in the Package shall remain the property of PLI. The User further agrees that PLI’s trade secrets in the Package include the specific design and structure of the application and its interaction with the lessons and unique design techniques utilized for licensing authorization, data entry, file processing, report generation, and the like. The sole exclusion from PLI’s trade secrets is the lessons and reports which are also the property of PLI and are protected by copyright law. The User acknowledges the value of PLI’s proprietary rights set forth above in this Article II and the irreparable injury that would result from violation of the provisions of this Article. Accordingly, the User agrees that, in addition to all other rights and remedies, PLI shall be entitled to injunctive or other equitable relief to prevent the threatened or further actual breach of this Article II.

III. PLI RESPONSIBILITY – SUPPORT SERVICES.

PLI will furnish the User with PLI’s support services during the term of this Agreement and provided that User’s payments for fees and expenses due PLI are not past due. PLI’s support services will consist of the following:

- 1) responding to the User's inquiries concerning use of the Package;
- 2) providing a minimum of twelve (12) officer training lessons and examinations each year at appropriate intervals via computer software and written summaries;
- 3) grading of officers' examinations based upon the assurance of the User that the named officers entered the answers to the lesson's questions; and
- 4) certification of the named officers upon their successful completion of each lesson.

Support services provided herein will be rendered in good faith and governed by PLI's procedures as revised from time to time. A description of the procedures will be provided to the User upon request. User agrees that neither PLI nor its personnel warrant the above support services, nor accept any risks or liability for such services.

IV. USER RESPONSIBILITY.

The User agrees as follows:

- 1) The User agrees to protect and secure the trade secrets defined herein and not to disclose, provide, or otherwise make available any of the Package materials licensed hereunder in any form to any person except, during the term of this Agreement, to the User's officers for training.
- 2) The User acknowledges that PLI claims that the Package is exempt from disclosure pursuant to 5 ILCS 140, the Freedom of Information Act (the "Act"), and the User will notify PLI within 24 hours of any claim for inspection under the Act. The User will not allow disclosure of any part of the Package to anyone making a claim under the Act unless authorized by PLI, or a court of competent jurisdiction, or in acting in good faith upon advice of the User's legal counsel that such disclosure is required. PLI shall have the right to respond to anyone making a claim and to defend its legal claims to nondisclosure.
- 3) The User will take appropriate action by instruction, agreement or otherwise with officers, officials, employees, agents and the like in order to satisfy the obligations herein with respect to use, copying, modification, disclosure and security of the Package. The User will notify PLI immediately upon learning of any unauthorized disclosure, knowledge, use or possession of the Package.
- 4) The User agrees not to modify, duplicate, remove labels or notices, reverse engineer, reproduce, manufacture or copy the Package or components thereof, in whole or in part, and to protect and secure the trade secrets defined herein.
- 5) The User agrees not to rent, assign, license, sublease or otherwise transfer the Package or any proprietary rights therein. Likewise, the User will not provide any third parties with copies of the Package or components thereof directly or indirectly through any other medium or telecommunication processes.
- 6) The User agrees to access the Package only on the User-designated computers and to maintain it in good working order, including the timely installation of required hardware updates. The User agrees to obtain, install and maintain the minimum software

requirements recommended from time to time by PLI in order to accommodate the Package.

- 7) The User agrees to supervise the officers as they study the lessons and answer the questions to the examinations and to make and retain adequate records of their use of the MONTHLY LEGAL UPDATE & REVIEW™ Lessons and Examinations.
- 8) The User agrees to provide reasonable cooperation and assistance to PLI in executing its duties hereunder, including familiarization with reference materials, and timely completion of lessons and examinations for grading.
- 9) The User agrees that under no circumstances is the Package intended to constitute legal advice, and where any need for legal advice should arise the User will consult its own appropriate legal counsel.

V. USER'S ACCEPTANCE OF AGREEMENT.

This Agreement shall be deemed accepted by the User upon the first to occur of any of the following by an officer, agent or employee of the User: 1) signing this Agreement; or 2) accessing any portion of the Package via the Internet.

VI. FEES AND EXPENSES.

The User agrees to pay the fees quoted or invoiced by PLI from time to time for each one-year period under this Agreement. The initial annual fee for the initial one-year term of this Agreement is due in full upon acceptance of this Agreement by User. Each subsequent annual fee is due on or prior to the commencement of the annual renewal period to which such fee relates. PLI reserves the right to increase its fees or modify its fee structure from time to time at PLI's discretion. PLI shall invoice User for the fees applicable to an annual renewal period at least 30 days prior to the commencement of such renewal period.

VII. DURATION OF AGREEMENT.

Subject to the terms and conditions herein, this Agreement shall be for a term of one year from the date of acceptance set forth above and shall renew automatically for successive one-year periods unless either party notifies the other of nonrenewal at least 15 days prior to expiration of the initial one-year period or at least 15 days prior to any one-year renewal period. A notice of nonrenewal shall terminate this Agreement. All unpaid fees and expenses hereunder with respect to any period or partial period ending on or prior to the termination of this Agreement shall be due and owing from User to PLI upon termination of this Agreement. In addition to the above, in the event that the User violates any of the terms and conditions of this Agreement, this Agreement and all renewal and support obligations of PLI herein shall terminate upon the election of PLI delivered by written notice to User. In the event of any termination under this Article VII, all remaining portions of this Agreement regarding proprietary rights, nondisclosure and non-copying of all components of the Package (including, without limitation, Article IV) shall remain in effect indefinitely. PLI's right to terminate the License in the manner set forth in this Article VII shall be in addition to, and not in lieu of, all other rights and remedies available to PLI at law or in equity.

VIII. DISCLAIMER AND NO WARRANTY.

PLI MAKES NO REPRESENTATION OR WARRANTY, AND HEREBY DISCLAIMS ALL REPRESENTATIONS AND WARRANTIES, EXPRESS OR IMPLIED WITH RESPECT TO THE

PACKAGE OR ANY OF THE SUPPORT SERVICES, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

PLI SHALL HAVE NO LIABILITY WHATSOEVER TO USER FOR SPECIAL, COLLATERAL, INCIDENTAL, CONSEQUENTIAL, OR PUNITIVE DAMAGES OF ANY KIND, FROM ANY CAUSE ARISING OUT OF THIS AGREEMENT OR THE PERFORMANCE OR NONPERFORMANCE OF THIS AGREEMENT EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. SUCH EXCLUDED DAMAGES INCLUDE, BUT ARE NOT LIMITED TO, LOSS OF GOODWILL, LOSS OF REVENUE OR PROFITS, LOSS OF USE, LOSS OF DATA OR INTERRUPTION OF BUSINESS.

Without limiting the foregoing, the User further agrees that PLI's liability for damages, regardless of the form of action, shall not in any event exceed the amount of actual current yearly charges paid by the User for the Package.

IX. FORCE MAJEURE.

Performance of PLI hereunder is subject to interruption and delay due to causes beyond its reasonable control such as acts of God, acts of any government, war or other hostilities, the elements, fire, explosion, power failure, telecommunications failure, industrial or labor dispute, inability to obtain supplies and the like, or breakdown of equipment or any other causes beyond PLI's control.

X. GENERAL.

If the scope of any of the provisions of this Agreement is held to be illegal, unenforceable, in conflict with any law governing this Agreement, or too broad in any respect whatsoever to permit enforcement to its full extent, then such provision shall be enforced to the maximum extent permitted by law. The parties hereto consent and agree that such scope may be judicially modified accordingly and that the whole of such provision shall not thereby fail, but that the scope of such provision shall be curtailed only to the extent necessary to conform to law. This Agreement constitutes the full and complete understanding of the parties hereto and supersedes any prior understandings, advertisements, brochures, representations and oral or written agreements between the parties regarding the subject matter of this Agreement. This Agreement may not be waived, altered, or modified unless in writing and signed by the parties hereto, except that PLI reserves the right, at any time, to change the terms of this Agreement by publishing notice of such changes on its website. Any use of the any portion of the Package or PLI's support services by User after PLI's publication of any such changes shall constitute your acceptance of this Agreement as modified. This Agreement and any license hereunder are not assignable in whole or in part by the User, without the prior written consent of PLI. This Agreement is assignable by PLI and is binding upon and inures to the benefit of the parties and their respective successors and permitted assigns. This Agreement shall be governed by and construed under the laws of the State of Iowa (without reference to choice of law principles). In the event of any litigation the parties agree to prevent any unprotected discovery or unwarranted disclosure of the trade secrets referred to herein. The parties agree that any lawsuits arising from or relating to this Agreement shall be filed in the state or federal courts in Linn County, Iowa, and that jurisdiction shall be exclusively in Linn County, Iowa. The User consents to jurisdiction of said courts, and waive any objections thereto. In the event any litigation arises out of or in connection with this Agreement between the parties hereto, the prevailing party in such litigation shall be entitled to recover from the other party or parties all reasonable attorney's fees, expenses, and suit costs, including those associated with any appellate or post-judgment collection proceedings. PLI's rights under this Agreement shall be cumulative and any failure on the part of PLI to act promptly or exercise any rights provided herein shall not operate as a waiver or forfeiture of its rights. Notices required or given under this Agreement shall be in writing and sent by prepaid certified mail, return receipt requested, courier or

facsimile, or may be hand delivered to the respective party at its address set forth on the original invoice for fees pursuant to this Agreement. Notices will be effective on the date received. Notices sent by certified mail, courier or hand delivery will be deemed received on the date of delivery; notices sent by facsimile will be deemed received on the date transmitted. The address to which notices shall be mailed may be changed from time to time by a notice served as provided above.

“PLI”:

POLICE LAW INSTITUTE, INC.

By: _____ 

Name: David Oliver
Title: Executive Director
Address: PO Box 49, North Liberty, IA 52317-0049
Phone: (800) 554-5358
Fax: (319) 665-2867

“AGENCY”:

Berwyn Police Department

By: _____

Name: _____

Title: _____

Address: _____

Phone: _____

Fax: _____



Police Law Institute
 PO Box 49
 North Liberty, IA 52317

INVOICE

Date	Invoice #
1/1/2017	13228

Berwyn Police Department
 6401 W 31st St.
 Berwyn, IL 60402

Renewal Date	P.O. No.	Terms
		Net 30

Quantity	Description	Rate	Amount
110	1 year subscription to the Illinois Monthly Legal Update & Review, monthly and annual management reports, and individual officer participation certificates.	128.00	14,080.00
	Discount down to \$95/officer/year for the Monthly Legal Update & Review for Illinois MTU members agencies	-25.78125%	-3,630.00
	5%-discount for greater than 100 officers	-5.00%	-704.00

Thank you for your business.	Total	\$9,746.00
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Phone #	E-mail
800-554-5358	info@policelaw.org



January 6, 2017

Mr. Robert Schiller
Director of Public Works
City of Berwyn
1 Public Works Drive
Berwyn, Illinois 60402

Re: **Residential Street Light LED Retrofits
MFT Section No. 16-00000-03-GM**

Dear Bob:

Enclosed is a copy of the "Tabulation of Bids" for the bids that were received and opened for the above-referenced project on January 5, 2017, at 10:00 a.m. Six (6) bids were received and tabulated, with no errors found.

The low bidder was H&H Electric Company, submitting a bid in the amount of \$168,446.30, which is \$58,053.70 (25.63%) under the Engineer's Estimate of \$226,500.00.

H&H Electric Company is prequalified by IDOT to perform this type of work, and currently performs the City's Traffic Signal and Street Light Maintenance. Therefore, we recommend that the Contract be awarded to **H&H Electric Company, 2830 Commerce Street, Franklin Park, IL 60131**, in the amount of **\$168,446.30**.

Please call if you have any questions regarding this matter.

Sincerely,

NOVOTNY ENGINEERING

Thomas R. Brandstedt, P.E.

TRB/ce
Enclosure
cc: File No. 15232(3)

Date: 1/5/2017

TABULATION OF BIDS

Page 1 Of 1

OWNER: CITY OF BERWYN
 PROJECT DESCRIPTION: RESIDENTIAL STREET LIGHT LED RETROFITS
 MFT SECTION NO. 18-00000-03-GM
 BID OPENING: JANUARY 5, 2017 @ 10:00 A.M.

PROJECT NO.: 15232(3)

Item No	Description	Unit	Quantity	Unit Price	Amount	H&H Electric 2830 Commerce Street Franklin Park, IL 60131 5% Bid Bond	Utility Dynamics 23 Commerce Drive Oswego, IL 60543 5% Bid Bond	Lyons Electric 650 E. Elm Avenue LaGrange, IL 60525 5% Bid Bond	John Burns Construction 17601 Southwest Highway Orland Park, IL 60467 5% Bid Bond	Meade 9650 W. 48th St, Suite A McCook, IL 60825 5% Bid Bond	Hecker and Company 250 Industrial Lane Wheeling, IL 60090 5% Bid Bond	
		Unit		Price	Amount	Unit	Price	Amount	Unit	Price	Amount	
1	Residential Street Light LED Luminaire Replacement	EACH	170	1,300.00	221,000.00	961.50	163,455.00	1,025.00	174,250.00	1,103.00	187,510.00	
2	Traffic Control and Protection	L.SUM	1	1,000.00	1,000.00	2,102.00	600.00	500.00	500.00	1,120.00	1,120.00	
3	Maintenance of Lighting System	L.SUM	1	2,500.00	2,500.00	525.50	1,500.00	1,870.00	861.36	2,240.00	2,240.00	
4	Insurance Provisions - Complete	L.SUM	1	2,000.00	2,000.00	2,363.80	538.00	1,157.00	1,000.00	2,625.00	2,625.00	
LED MANUFACTURER: MODEL NO.:												
						GE	AMERLUX	AMERLUX	GE	GE	GE	
						EPAS-0-D3-A-30-B-A-X-BLCK-D	DUT20-F37/AVI-SO-3HBLK7P TW-PLC-MULTI DM	DUT20-F37/AVI-SO-3HBLK7P TW-PLC-MULTI DIM	EPAS-0-D3-A-30-B-A-X-BLCK-D	EPAS-0-D3-A-30-B-A-X-BLCK-D	EPAS-0-D3-A-30-B-A-X-BLCK-D	EPAS-0-D3-A-30-B-A-X-BLCK-D
Totals:						228,800.00	172,638.00	177,777.00	181,111.26	193,465.00	196,864.26	
Bid Error Corrections:												
						169,446.30	472,638.00	177,777.00	181,111.26	193,465.00	196,864.26	
						-50,053.70	-53,862.00	-48,723.00	-45,386.74	-33,005.00	-29,815.00	
Corrected Totals												
						-25.63%	-29.78%	-27.61%	-20.04%	-14.97%	-13.16%	

J-8
Robert J. Lovero
Mayor



Charles Lazzara
Building Director

The City of Berwyn
A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675
www.berwyn-il.gov

January 13, 2017

To: Mayor Robert J. Lovero
Members of the Berwyn City Council

Re: Demolition of 1318 Harvey Avenue, Berwyn

I am respectfully requesting permission to be granted to demolish the residential property located at 1318 Harvey Avenue. This property has been vacant and slowly deteriorating since 2009. The city has taken the necessary measures to condemn the building as well as legal measures to post the notice of condemnation and intent to demolish.

Thank You

Charles D. Lazzara
Building Director



A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 (708) 749-6468
www.berwyn-il.gov

Date: January 9, 2017

To: Mayor Robert J. Lovero
Members of the Berwyn City Council

Subject: Surplus Property Auction Sale

Based on the recommendation from the Public Works Director, Robert Schiller, the Finance Department declares the following vehicles as surplus property:

1. 2001 Chevrolet Impala (VIN# 2G1WH55K119101042)
2. 2005 Chevrolet Impala (VIN# 2G1WF52KX59240599)
3. 2002 Ford Explorer (VIN# 1FMZU72E12UC31526)
4. 2000 Ford F350 (VIN# 1FTSF31F7YEA566800)

These vehicles have well over 100,000 miles and are in need of several mechanical repairs. The Public Works Director will attempt to sell these vehicles via public auction.

Respectfully submitted,

Rasheed Jones
Finance Director



A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6401 Fax: (708) 788-2675
www.berwyn-il.gov

January 20, 2017

Mayor Robert J. Lovero
Members of the City Council
City of Berwyn

Subject: Payroll January 11, 2017

Ladies and Gentlemen:

The current payroll has been prepared for review by the finance department and is ready for approval at the January 24, 2017 meeting.

Payroll: January 11, 2017 in the amount of \$1,244,777.29

Respectfully Submitted,

Nona N. Chapman

Nona N. Chapman
Budget Committee Chairman

K.2

The City of Berwyn



Nona N. Chapman
1st Ward Alderman

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6401 Fax: (708) 788-2675
www.berwyn-il.gov

January 20, 2017

Mayor Robert J. Lovero
Members of the City Council
City of Berwyn

Subject: Payables January 24, 2017

Ladies and Gentlemen:

The current payables were prepared for review by the finance department and are ready for approval at the January 24, 2017 meeting.

Payables: January 24, 2017 in the amount of \$1,389,681.39

Respectfully Submitted,

A handwritten signature in cursive script that reads "Nona N. Chapman".

Nona N. Chapman
Budget Committee Chairman

Payment Register

From Payment Date: 1/21/2016 - To Payment Date: 1/25/2017

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
01 - General Cash Check									
39683	01/10/2017	Open			Accounts Payable	Lawndale News	\$1,751.35		
39684	01/10/2017	Open			Accounts Payable	Paramount Restoration Group, Inc.	\$10,758.00		
39685	01/10/2017	Open			Accounts Payable	SEPS, Inc.	\$6,778.10		
39686	01/10/2017	Open			Accounts Payable	Mario Garcia	\$3,500.00		
39687	01/13/2017	Open			Accounts Payable	Robert R. Andreas & Sons	\$4,950.00		
39688	01/18/2017	Open			Accounts Payable	Berwyn Historical Society	\$5,000.00		
39689	01/18/2017	Open			Accounts Payable	ICON VIDEO PHOTO BOOTH	\$299.00		
39690	01/18/2017	Open			Accounts Payable	V.G.S.A. Properties, LLC	\$1,475.00		
39691	01/25/2017	Open			Accounts Payable	A & F Sewer Company, Inc.	\$3,036.00		
39692	01/25/2017	Open			Accounts Payable	ABC Automotive Electronics	\$822.00		
39693	01/25/2017	Open			Accounts Payable	Air One Equipment, Inc.	\$142.50		
39694	01/25/2017	Open			Accounts Payable	Airgas USA, LLC	\$233.54		
39695	01/25/2017	Open			Accounts Payable	Algonquin FireProtection District, Lake In The Hills	\$260.00		
39696	01/25/2017	Open			Accounts Payable	Amy Gullo	\$10.81		
39697	01/25/2017	Open			Accounts Payable	Anthony J Lynch	\$37.50		
39698	01/25/2017	Open			Accounts Payable	Arte Verde	\$9,363.99		
39699	01/25/2017	Open			Accounts Payable	AT & T	\$6,594.98		
39700	01/25/2017	Open			Accounts Payable	AT & T	\$8,558.62		
39701	01/25/2017	Open			Accounts Payable	Baker & Taylor Entertainment, Inc.	\$79.32		
39702	01/25/2017	Open			Accounts Payable	Bank of America	\$311.00		
39703	01/25/2017	Open			Accounts Payable	Berwyn Ace Hardware	\$26.68		
39704	01/25/2017	Open			Accounts Payable	Berwyn Development Corporation	\$43,444.96		
39705	01/25/2017	Open			Accounts Payable	Berwyn's Violet Flower Shop	\$100.00		
39706	01/25/2017	Open			Accounts Payable	Blackstone Audiobooks, Inc.	\$93.99		
39707	01/25/2017	Open			Accounts Payable	Bottom Line Personal	\$39.00		
39708	01/25/2017	Open			Accounts Payable	Braniff Communications, Inc.	\$1,170.00		
39709	01/25/2017	Open			Accounts Payable	Brian Cantwell	\$652.94		
39710	01/25/2017	Open			Accounts Payable	CDW Government, Inc.	\$980.62		
39711	01/25/2017	Open			Accounts Payable	CenterPoint Energy Services, Inc.	\$8,960.95		
39712	01/25/2017	Open			Accounts Payable	Chicago Office Products Co.	\$131.94		
39713	01/25/2017	Open			Accounts Payable	City of Chicago	\$708,208.64		
39714	01/25/2017	Open			Accounts Payable	Comcast Cable	\$443.55		
39715	01/25/2017	Open			Accounts Payable	ComEd	\$1,563.44		
39716	01/25/2017	Open			Accounts Payable	Complete Temperature Systems, Inc.	\$1,336.00		
39717	01/25/2017	Open			Accounts Payable	Constituent Outreach Consultants, Inc.	\$3,988.00		
39718	01/25/2017	Open			Accounts Payable	COTG	\$685.30		
39719	01/25/2017	Open			Accounts Payable	Critical Reach	\$825.00		
39720	01/25/2017	Open			Accounts Payable	Del Galdo Law Group, LLC	\$24,462.23		
39721	01/25/2017	Open			Accounts Payable	Dell Marketing, LP	\$1,101.64		
39722	01/25/2017	Open			Accounts Payable	Denis O'Halloran	\$5.00		
39723	01/25/2017	Open			Accounts Payable	Detroit Salt Company	\$17,513.21		
39724	01/25/2017	Open			Accounts Payable	Diamond Graphics, Inc.	\$405.00		
39725	01/25/2017	Open			Accounts Payable	Diaz Group, LLC	\$4,975.00		
39726	01/25/2017	Open			Accounts Payable	Don Morris Architects, PC	\$9,810.00		
39727	01/25/2017	Open			Accounts Payable	Eagle Petroleum USA, Inc.	\$601.98		
39728	01/25/2017	Open			Accounts Payable	Elite Document Solutions	\$358.96		

Payment Register

From Payment Date: 1/21/2016 - To Payment Date: 1/25/2017

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
39729	01/25/2017	Open			Accounts Payable	EvisonWare, Inc.	\$340.00		
39730	01/25/2017	Open			Accounts Payable	Everbridge, Inc.	\$14,500.00		
39731	01/25/2017	Open			Accounts Payable	Fire Service, Inc.	\$1,120.90		
39732	01/25/2017	Open			Accounts Payable	First Advantage Background Services Corp.	\$350.40		
39733	01/25/2017	Open			Accounts Payable	Freeway Ford Truck Sales, Inc.	\$43.20		
39734	01/25/2017	Open			Accounts Payable	Goldstine Skrodzki, Russian, Nemeec & Hoff, LTD.	\$7,672.50		
39735	01/25/2017	Open			Accounts Payable	H & H Electric Company	\$8,671.10		
39736	01/25/2017	Open			Accounts Payable	Harlem Plumbing Supply	\$92.54		
39737	01/25/2017	Open			Accounts Payable	Home Depot Credit Services	\$86.90		
39738	01/25/2017	Open			Accounts Payable	Horizon Screening	\$340.00		
39739	01/25/2017	Open			Accounts Payable	IFCA Educational and Research Foundation	\$1,800.00		
39740	01/25/2017	Open			Accounts Payable	ILLINOIS ANIMAL CONTROL ASSOCIATION	\$50.00		
39741	01/25/2017	Open			Accounts Payable	Illinois Association of Property & Evidence Mgrs.	\$125.00		
39742	01/25/2017	Open			Accounts Payable	Illinois Paper & Copier Company	\$3,357.76		
39743	01/25/2017	Open			Accounts Payable	Ingram Library Services LLC	\$905.34		
39744	01/25/2017	Open			Accounts Payable	J. Congdon Sewer Service	\$85,242.25		
39745	01/25/2017	Open			Accounts Payable	J. R. Carpet, Inc.	\$2,900.00		
39746	01/25/2017	Open			Accounts Payable	J. Sterling Morton High School	\$6,105.00		
39747	01/25/2017	Open			Accounts Payable	Jack's Rental, Inc.	\$947.81		
39748	01/25/2017	Open			Accounts Payable	James D. Ritz	\$20.00		
39749	01/25/2017	Open			Accounts Payable	JJ Hydraulic Service	\$395.13		
39750	01/25/2017	Open			Accounts Payable	JNC Consulting, Inc.	\$1,755.00		
39751	01/25/2017	Open			Accounts Payable	Joe Rizza Ford	\$420.36		
39752	01/25/2017	Open			Accounts Payable	John Hadjioannou	\$1,653.40		
39753	01/25/2017	Open			Accounts Payable	Julie, Inc.	\$2,563.86		
39754	01/25/2017	Open			Accounts Payable	Just Tires	\$1,748.17		
39755	01/25/2017	Open			Accounts Payable	K's Quality Construction, Inc.	\$2,960.00		
39756	01/25/2017	Open			Accounts Payable	Kelley Blue Book	\$98.00		
39757	01/25/2017	Open			Accounts Payable	Key Government Finance, Inc.	\$569.10		
39758	01/25/2017	Open			Accounts Payable	Keyth Technologies, Inc.	\$3,228.00		
39759	01/25/2017	Open			Accounts Payable	Klein, Thorpe and Jenkins, LTD.	\$3,551.22		
39760	01/25/2017	Open			Accounts Payable	L - K Fire Extinguisher Service	\$149.45		
39761	01/25/2017	Open			Accounts Payable	Lamdaide News	\$1,408.24		
39762	01/25/2017	Open			Accounts Payable	Leahy-Wolf	\$452.77		
39763	01/25/2017	Open			Accounts Payable	LexisNexis Risk Solutions	\$360.50		
39764	01/25/2017	Open			Accounts Payable	M. K. Sports	\$2,496.00		
39765	01/25/2017	Open			Accounts Payable	Mabas Division XI	\$10,000.00		
39766	01/25/2017	Open			Accounts Payable	MacNeal Occupational Health Services	\$160.00		
39767	01/25/2017	Open			Accounts Payable	Mark Antosiak	\$24.19		
39768	01/25/2017	Open			Accounts Payable	Martin-Aire Heating & Cooling, Inc.	\$473.00		
39769	01/25/2017	Open			Accounts Payable	MCBV	\$1,245.37		
39770	01/25/2017	Open			Accounts Payable	McDonald Modular Solutions, Inc.	\$190.00		
39771	01/25/2017	Open			Accounts Payable	McDonough Mechanical Services, Inc.	\$2,597.42		
39772	01/25/2017	Open			Accounts Payable	Menards	\$106.36		

Payment Register

From Payment Date: 1/21/2016 - To Payment Date: 1/25/2017

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
39773	01/25/2017	Open			Accounts Payable	Merards	\$101.97		
39774	01/25/2017	Open			Accounts Payable	MES - Illinois	\$2,384.00		
39775	01/25/2017	Open			Accounts Payable	Metro Collision Service / Metro Garage, Inc.	\$186.00		
39776	01/25/2017	Open			Accounts Payable	Michael Corrigan, Jr	\$2,250.00		
39777	01/25/2017	Open			Accounts Payable	Midwest Tape	\$653.74		
39778	01/25/2017	Open			Accounts Payable	Miguel A. Santiago Consulting, Inc	\$5,000.00		
39779	01/25/2017	Open			Accounts Payable	Mike & Sons	\$993.00		
39780	01/25/2017	Open			Accounts Payable	Monroe Truck Equipment, Inc.	\$700.00		
39781	01/25/2017	Open			Accounts Payable	National Seed	\$2,506.40		
39782	01/25/2017	Open			Accounts Payable	Networkfleet, Inc.	\$479.05		
39783	01/25/2017	Open			Accounts Payable	Nextel Communications	\$2,381.14		
39784	01/25/2017	Open			Accounts Payable	Nicor Gas	\$593.48		
39785	01/25/2017	Open			Accounts Payable	Northeastern Illinois Public Safety Training Acad	\$1,350.00		
39786	01/25/2017	Open			Accounts Payable	Nutrition Action	\$20.00		
39787	01/25/2017	Open			Accounts Payable	Odelson & Sterk, LTD	\$3,217.50		
39788	01/25/2017	Open			Accounts Payable	OFFICE DEPOT	\$53.82		
39789	01/25/2017	Open			Accounts Payable	Ogden Carwash	\$9.99		
39790	01/25/2017	Open			Accounts Payable	Overdrive	\$6,000.00		
39791	01/25/2017	Open			Accounts Payable	Paramount Restoration Group, Inc.	\$6,780.00		
39792	01/25/2017	Open			Accounts Payable	Partners & Paws Veterinary Services	\$216.00		
39793	01/25/2017	Open			Accounts Payable	Patrick Engineering	\$34,150.00		
39794	01/25/2017	Open			Accounts Payable	Patrick N. Murray	\$1,575.00		
39795	01/25/2017	Open			Accounts Payable	Penguin Random House, Inc.	\$26.25		
39796	01/25/2017	Open			Accounts Payable	Peter Podgorski	\$2,296.40		
39797	01/25/2017	Open			Accounts Payable	Peters & Associates, Inc.	\$5,293.75		
39798	01/25/2017	Open			Accounts Payable	Pitney Bowes	\$358.19		
39799	01/25/2017	Open			Accounts Payable	R. A. James Construction	\$6,000.00		
39800	01/25/2017	Open			Accounts Payable	Record Information Services	\$1,363.00		
39801	01/25/2017	Open			Accounts Payable	Reliable Materials-Lyons LLC	\$6,187.00		
39802	01/25/2017	Open			Accounts Payable	Richard Bolec	\$1,008.84		
39803	01/25/2017	Open			Accounts Payable	Robert J. Lovero	\$102.31		
39804	01/25/2017	Open			Accounts Payable	Roscoe Company	\$1,012.01		
39805	01/25/2017	Open			Accounts Payable	Scout Electric Supply	\$63.00		
39806	01/25/2017	Open			Accounts Payable	Sequin RCA	\$50.00		
39807	01/25/2017	Open			Accounts Payable	Shanta Nurullah	\$375.00		
39808	01/25/2017	Open			Accounts Payable	Sirchie Finger Print Laboratories	\$194.25		
39809	01/25/2017	Open			Accounts Payable	Snappy Convenience Center #12	\$983.00		
39810	01/25/2017	Open			Accounts Payable	Spring-Green	\$692.19		
39811	01/25/2017	Open			Accounts Payable	Sprint	\$870.00		
39812	01/25/2017	Open			Accounts Payable	Storino, Ramello & Durkin	\$6,147.40		
39813	01/25/2017	Open			Accounts Payable	Suburban Laboratories, Inc.	\$585.00		
39814	01/25/2017	Open			Accounts Payable	Suburban Life Media	\$42.00		
39815	01/25/2017	Open			Accounts Payable	Susteen, Inc.	\$1,495.00		
39816	01/25/2017	Open			Accounts Payable	SWAN	\$8,304.50		
39817	01/25/2017	Open			Accounts Payable	Target Auto Parts	\$2,050.82		
39818	01/25/2017	Open			Accounts Payable	Tele-Tron Ace Hardware	\$56.41		
39819	01/25/2017	Open			Accounts Payable	Thomson Reuters- West	\$336.31		
39820	01/25/2017	Open			Accounts Payable	Thyssenkrupp Elevator Corporation	\$1,280.51		

Payment Register

From Payment Date: 1/21/2016 - To Payment Date: 1/25/2017

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
39821	01/25/2017	Open			Accounts Payable	TKK Electronics C/O U.S. Bank	\$7,308.00		
39822	01/25/2017	Open			Accounts Payable	Operations Center	\$164.98		
39823	01/25/2017	Open			Accounts Payable	Toys R Us	\$7,079.40		
39824	01/25/2017	Open			Accounts Payable	Traffic Control & Protection, Inc.	\$14,422.25		
39825	01/25/2017	Open			Accounts Payable	Trotter & Associates, Inc.	\$737.24		
39826	01/25/2017	Open			Accounts Payable	Triad Automotive	\$127.72		
39827	01/25/2017	Open			Accounts Payable	Tyco Intergrated Security LLC	\$2,520.25		
39828	01/25/2017	Open			Accounts Payable	Tyco Simplex Grinnell	\$660.98		
39829	01/25/2017	Open			Accounts Payable	TYLER BUSINESS FORMS	\$53.70		
39830	01/25/2017	Open			Accounts Payable	Unique Management Services, Inc.	\$321.00		
39831	01/25/2017	Open			Accounts Payable	US Gas	\$2,201.00		
39832	01/25/2017	Open			Accounts Payable	USIC Locating Services, Inc.	\$299.50		
39833	01/25/2017	Open			Accounts Payable	VerteXl	\$618.02		
39834	01/25/2017	Open			Accounts Payable	Vermeer - Illinois, Inc.	\$660.00		
39835	01/25/2017	Open			Accounts Payable	Village of Romeoville Fire Academy	\$2,924.34		
39836	01/25/2017	Open			Accounts Payable	Vintage Tech LLC	\$5,000.00		
39837	01/25/2017	Open			Accounts Payable	West Central Municipal Conference	\$500.00		
39838	01/25/2017	Open			Accounts Payable	Wight Construction	\$616.00		
39839	01/25/2017	Open			Accounts Payable	William Glaser, Jr.	\$600.00		
39840	01/25/2017	Open			Accounts Payable	Zoll Medical Corporation	\$126,724.16		
39841	01/25/2017	Open			Accounts Payable	24-7 PLUMBING 4 U, INC	\$2,800.00		
39842	01/25/2017	Open			Accounts Payable	3 MICH PROPERTIES	\$1,475.00		
39843	01/25/2017	Open			Accounts Payable	ALBERTO CANAVERAL	\$3,500.00		
39844	01/25/2017	Open			Accounts Payable	ATLAS, C/O MEGAN MILLEN	\$150.00		
39845	01/25/2017	Open			Accounts Payable	Carmen Flores	\$129.65		
39846	01/25/2017	Open			Accounts Payable	CODILUS & ASSOCIATES	\$19.55		
39847	01/25/2017	Open			Accounts Payable	CUSTOM COMFORT	\$1,475.00		
39848	01/25/2017	Open			Accounts Payable	DEVELOPEMENT, LLC	\$2,800.00		
39849	01/25/2017	Open			Accounts Payable	Directional Construction Services	\$90.00		
39850	01/25/2017	Open			Accounts Payable	ELIZABETH BERRERA	\$1,800.00		
39851	01/25/2017	Open			Accounts Payable	Environmental Design International Inc	\$338.82		
39852	01/25/2017	Open			Accounts Payable	EVANGELINA VEGA	\$3,300.00		
39853	01/25/2017	Open			Accounts Payable	FINE STRUCTURE	\$1,475.00		
39854	01/25/2017	Open			Accounts Payable	GT & DT PROPERTIES LLC	\$418.62		
39855	01/25/2017	Open			Accounts Payable	JOAN HANK	\$3,500.00		
39856	01/25/2017	Open			Accounts Payable	KRYSHA & RICARDO MARTINEZ	\$1,475.00		
39857	01/25/2017	Open			Accounts Payable	MENDOZA, OLIVER	\$3,500.00		
Type Check Totals:							\$1,389,681.39		
01 - General Cash Totals							\$1,389,681.39		
Checks		Status	Count	Transaction Amount	Reconciled Amount				
Open			175	\$1,389,681.39	\$0.00				
Reconciled			0	\$0.00	\$0.00				
Voided			0	\$0.00	\$0.00				
Stopped			0	\$0.00	\$0.00				
Total			175	\$1,389,681.39	\$0.00				
All		Status	Count	Transaction Amount	Reconciled Amount				

Payment Register

From Payment Date: 1/21/2016 - To Payment Date: 1/25/2017

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
		Open					\$1,389,681.39	\$0.00	
		Reconciled					\$0.00	\$0.00	
		Voided					\$0.00	\$0.00	
		Stopped					\$0.00	\$0.00	
		Total					\$1,389,681.39	\$0.00	
Grand Totals:									
					Checks				
		Status			Count		Transaction Amount	Reconciled Amount	
		Open			175		\$1,389,681.39	\$0.00	
		Reconciled			0		\$0.00	\$0.00	
		Voided			0		\$0.00	\$0.00	
		Stopped			0		\$0.00	\$0.00	
		Total			175		\$1,389,681.39	\$0.00	
					All				
		Status			Count		Transaction Amount	Reconciled Amount	
		Open			175		\$1,389,681.39	\$0.00	
		Reconciled			0		\$0.00	\$0.00	
		Voided			0		\$0.00	\$0.00	
		Stopped			0		\$0.00	\$0.00	
		Total			175		\$1,389,681.39	\$0.00	

K-3
Mayor
Robert J. Lovero



7th Ward Alderman
Rafael Avila

M E M O R A N D U M

January 24, 2017

TO: The Honorable Robert J. Lovero
Members of the City Council

RE: Handicap Parking Application #1131
1909 S. Wisconsin Ave.

Ladies and Gentlemen:

After further discussion with the resident of 1909 S. Wisconsin Ave. I would like to **override** the City Council's prior determination to deny this request and respectfully resubmit the attached application for **APPROVAL** of a handicap **SPACE**.

Thank you very much,

Rafael Avila
7th Ward Alderman

RA/sla

Enc: Handicap Application



Berwyn Police Department

6401 West 31st. Street
Berwyn, Illinois 60402
708-795-5600
Fax 708-795-5627
Emergency Call 911

Handicapped - Parking / Zone Request Form

To : Mayor Robert J. Lovero
From: Berwyn Police Department Community Service Division
Date : 11/15/2016
Officer: T. Young#183

Applicant Name: Jose G. Murguia

Address: 1909 S Wisconsin Ave. berwyn Il 60402

Telephone:

Nature of Disability:

Information

Doctor's Note/ Affidavit:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Interviewed:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Owner's Support Letter	<input checked="" type="checkbox"/> <input type="checkbox"/>	Handicapped Plate	<input checked="" type="checkbox"/> <input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/> <input type="checkbox"/>	Handicapped Placard	<input type="checkbox"/> <input checked="" type="checkbox"/>
Driveway:	<input type="checkbox"/> <input checked="" type="checkbox"/>	Wheelchair:	<input type="checkbox"/>
Off Street:	<input type="checkbox"/> <input checked="" type="checkbox"/>	Walker / Cane:	<input type="checkbox"/>
On Street:	<input checked="" type="checkbox"/> <input type="checkbox"/>	Oxygen:	<input type="checkbox"/>

Meets Police Dept Requirements	Space	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Zone	<input type="checkbox"/> <input type="checkbox"/>

Report # 16-11602

7th Ward Alderman: RAFAEL AVILA

Staff Recommendation	
Approved _____	Denied _____

Handicapped Space/Zone Police Department Site Inspection

Application # 1131

Police Department Designee C.S.O. Terry Young

Comments: Garage on premise used to park daughters vehicle and storage.

Residence is a single family home. Block is mostly single family homes. 2 existing signs on block located at 1932 Wisconsin and 1906 Wisconsin.

Date: 11/15/2016

Police Report # 16-11602

Handicapped Space/Zone Public Works Site Inspection

Application # 1131

Public Works Director or Designee Dan Schiller

Comments: There are no obstructions to installation of a reserved space at this location. There are 2 existing reserved spaces on the block at 1906 and 1932. There is a 2+ car garage on the property.

Meets Public Works Criteria:

	Parking Space	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
	Parking Zone	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Date: 11/29/2016

Police Report # 16-11602

Handicapped Space/Zone Traffic Engineer Site Inspection

Application # 1131

Traffic Engineer or Designee Nicole Campbell

Comments: Garage and 4 vehicles registered to property.

Meets Traffic Criteria for:

Parking Space	Yes	0	No	X
Parking Zone	Yes	0	No	X

Date: 12/7/2016

Police Report # 16-11602

Rec'd by City Clerk: 12/7/2016

To Alderman: 12/7/2016

To Council: 12/23/16

Determination: DENY

Notice to Applicant:

Paid:

Sign #:

1/24/17
OVERRIDE

Comments:

OFFICIAL SWORN POLICE REPORT

Berwyn Police Department

6401 W 31st Street Berwyn, IL 60402 (708) 795-5600

Incident#: 16-11602

STATION COMPLAINT UCR/Offense Code				INCIDENT #
9041 (Applicant File)				16-11602
REPORT TYPE	RELATED CAD #	DESCRIPTION		
Incident Report	C16-062747	Applicant File		
DOT #	LOCATION OF OFFENSE (HOUSE NO., STREET NAME)			
	1909 S WISCONSIN AV Berwyn, IL 60402			
HOW RECEIVED	WHEN REPORTED	TIME OF OCCURRENCE	STATUS CODE	STATUS DATE
Walk In	11/15/2016 10:30	11/15/2016 10:30		

INVOLVED ENTITIES

NAME				DOB	AGE
MURGUIA, JOSE G					74
ADDRESS			FBI #	IR #	
1909 S WISCONSIN AV Berwyn, IL 60402					
SEX	RACE	HGT	WGT	HAIR	PHONE
M	Hispanic				Home
EYES	SID #	DL #	DL State	ALT PHONE	
			IL		
CLOTHING			Handcuff Double Locked	Prints Taken	Criminal History
Employer					

UCR	TYPE	RELATED EVENT #
9041 Applicant File, 1 - 1 count(s)	Reporting Party	

INVOLVED VEHICLES

VEH/PLATE #	STATE	TYPE	INVOLVEMENT	VIN #
225959 HC	IL	Carryall/SUV	Involved	
YEAR	MAKE	MODEL	COLOR	OWNER
2006	Chevrolet	Equinox	Blue	
COMMENTS				
Towed	Towed By	Tow Number	Impounded	Hold

NARRATIVES

PRIMARY NARRATIVE

Jose G. Murguia is requesting a handicapped parking sign in front of his residence located at 1909 Wisconsin. He drives a blue 2006 Chevy Equinox II handicapped plate# 225959, and has a valid Berwyn vehicle tag# 7830. He resides in a single family residence with a garage that is used to park his daughters car in. Jose has difficulty entering and exiting his vehicle due to his condition while parked in the garage. There are 2 existing handicapped spaces on the block located at 1932 Wisconsin and 1906 Wisconsin. The block is mostly single family homes.

Jose meets the requirements for handicapped parking according to the City of Berwyn ordinance 484.05.

REPORTING OFFICER	UNIT #	SUPERVISOR	UNIT #
YOUNG, TERRY	183		



A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675
www.berwyn-il.gov

Affidavit For Handicapped Parking Sign or Drop Off Zone

You must have a permanent Handicap State Plate or Handicap Placard to park any vehicle in a designated Handicap Parking space

INITIAL **RENEWAL**

JOSE G. MURGUIA
(Name of Handicapped Applicant)

(Date of Birth)

1909 WISCONSIN AVE
(Berwyn Address)

(Name of caregiver, or guardian if minor)

(Date of Birth)

(Telephone /Cell Phone Number)

Is there a garage on the property? Yes No

Are you the homeowner? Yes No

If so, what is the garage currently being used for? STORAGE

Driveway ___ Carport ___

All Applicants must submit the Physicians form (A)

Renters must submit the Owner Consent form (B)

Vehicle Information

CHEVY EQUINOX
(Vehicle make and model)

BLUE - 2006
(Color / Year)

225 959
(Illinois License Plate Number)

7830
(Current City Vehicle Sticker Number)

(Illinois Handicapped Plate)

(Illinois Permanent Handicap Placard Number)

I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit, which said person knows to be false or believes to be false.

[Signature]
Signature of Applicant or Legal Guardian

11-3-16
Date

**Return the completed form to the City Clerk's Office at Berwyn City Hall
6700 West 26th Street, Berwyn, Illinois**



A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675
www.berwyn-il.gov

Physician Form (A)

This form must be filled out in its entirety and signed by your physician.

Physician must state, by printing below, the nature of the patient's handicap

Does the patient utilize any of the following? :

Walker _____ Wheel Chair _____ Cane _____ Oxygen _____

I hereby certify that the physical conditions of the above named "Handicapped Person" constitutes him/her as a handicapped person as defined under the statutory provision Par. 1-159 (Physically Handicapped Person – Every natural person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair.)

(Physician's Signature/Stamp)

11-2-16

(Date)

WINGER

(Print Physician's Name)

(Address and Telephone Number)
M.D.

**Return the completed form to the City Clerk's Office at Berwyn City Hall
6700 West 26th Street, Berwyn, Illinois**



A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675
www.berwyn-il.gov

Form B

Owner Consent For Handicap Sign

Placement/Drop-off Zone

I Jose A Murguia owner/manager of the property at
Berwyn IL 1909 Wisconsin, state as follows:

1) That Jose A Murguia is a tenant at the above listed property.

2) That Jose A Murguia has no access to any parking on the premises.

3) That if Jose A Murguia is granted a handicapped sign or drop-off zone by the City of Berwyn, I have no objection to the placement of signs in front of this address.

4) I agree to notify the City of Berwyn if Jose A Murguia longer resides on the premises.

Jose A Murguia
Signature/Date

Name: Jose A Murguia
Address: 1909 Wisconsin
Phone#: Berwyn

Return the completed form to the City Clerk's Office at Berwyn City Hall
6700 W. 26th Street, Berwyn, IL 60402