



City of Berwyn

City Council Meeting

October 12, 2010

BERWYN CITY COUNCIL MEETING
OCTOBER 12, 2010

DEAR ATTENDEE.....THE MAYOR AND CITY COUNCIL WELCOME YOU. PLEASE KEEP IN MIND THAT THIS IS A MEETING OF THE MAYOR AND COUNCIL MEMBERS AS OPPOSED TO A PUBLIC HEARING WHERE ATTENDEES ARE ENCOURAGED TO PARTICIPATE. UNLESS INVITED BY THE MAYOR TO SPEAK, YOU ARE REQUESTED NOT TO INTERRUPT. IF YOU ARE RECOGNIZED BY THE MAYOR, PLEASE PREFACE YOUR REMARKS BY STATING YOUR NAME AND ADDRESS FOR THE RECORD. THANK YOU.

ROBERT J. LOVERO
MAYOR

THOMAS J. PAVLIK
CITY CLERK

AGENDA

ROLL CALL

- (A) PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE
- (B) OPEN FORUM - (TOPIC MUST NOT BE ON THE AGENDA)
- (C) PRESENTATION OF PREVIOUS MEETINGS MINUTES FOR APPROVAL
 - 1. REG 9/28/10-COW 9/28/10
- (D) BID OPENING - TABULATIONS
 - 1. DEFER-PW-RECOMMENDATION TO AWARD TWO 10' SNOW PLOWS
- BERWYN DEVELOPMENT CORP.-BERWYN TOWNSHIP/HEALTH DISTRICT
 - 1. BDC-INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL AWARD
CITY OF BERWYN, TOWN OF CICERO, VILLAGE OF OAK PARK
 - 2. BDC-6846 WINDSOR-CONTRACT & ORD FOR THE ACQUISITION OF PROPERTY
WITHIN THE AMENDED DEPOT TIF
 - 3. BDC-NEWSPAPER DISPENSING DEVICE ORDINANCE
- (F) REPORTS AND COMMUNICATIONS FROM THE MAYOR
 - 1. MAYOR-PROC. ROBERT S. SLACKERT
- (G) REPORTS AND COMMUNICATIONS FROM THE CITY CLERK
- (H) COMMUNICATIONS FROM (ZONING) BOARD OF APPEALS
- (I) REPORTS AND COMMUNICATIONS FROM ALDERMEN, COMMITTEES OTHER BOARDS
AND COMMISSIONS
 - 1. LAURETO-RESIDENT ONLY PARKING BY PRAIRIE OAK SCHOOL-13TH & OAK PARK
- (J) STAFF REPORTS
 - 1. LAW-RESOLUTION-AND I-GO PARKING AGREEMENT
 - 2. LAW-SETTLEMENT OF CASE NO. 09L1001
 - 3. LAW-SETTLEMENT OF CASE NO. 10WC1452
 - 4. FINANCE DIR-BOND ORDINANCE
 - 5. FINANCE DIR-RESOL-INCLUSION OF CAFETERIA COMPENSATION IN IMRF
EARNINGS

(K) **CONSENT AGENDA:** ALL ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED IN ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED AS THE FIRST ITEM AFTER APPROVAL OF THE CONSENT AGENDA

1. BUDGET CHAIR-PAYROLL-9/29/10-\$883,617.17
2. BUDGET CHAIR-PAYABLES-10/12/10-\$1,974,149.95
3. CHAPMAN-HANDICAP SIGN-I. CALDWELL-3619 EUCLID-**APPROVE**
4. AVILA-HANDICAP SIGN-M. ALVARADO, 1621 HOME-**APPROVE**
5. LAURETO-HANDICAP SIGN-T. OTT-1441 EAST AVE-**APPROVE**
6. BLDG DIR-BLDG PERMITS ISSUED SEPTEMBER 2010
7. LIC. & COLLECTIONS-BUSINESS PERMITS ISSUED SEPTEMBER 2010
8. ASST FIRE CHIEF-BERWYN FF LOCAL 506 CANCER DRIVE-10/16/10
9. NBPD-HALLOWEEN PUMPKIN PATCH-10/30/10

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THOMAS J. PAVLIK, CMC - CITY CLERK



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- A Pledge of Allegiance-Moment of Silence**
 - B. Open Forum**
(Topic Must Not Be on The Agenda)



**C. Presentation of Previous
Meeting Minutes for Approval**

ROBERT J. LOVERO
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
SEPTEMBER 28, 2010

1. The regular meeting of the Berwyn City Council was called to order by Mayor Robert Lovero at 8:00 p.m. Upon the call of the roll, the following responded present: Chapman, Boyajian, Paul, Skryd, Santoy, Polashek, Avila, Laureto. The motion carried by a voice vote.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the all the men and women on the streets of Berwyn protecting our safety.
3. The Open Forum portion of the meeting was announced. The Mayor recognized Richard Pieruccini regarding MFT Contract bid award, who was protesting awarding of the bid to Andreas, even though the company has complied with all Federal and State requirements and qualifications- The Mayor recognized resident Frank Camerello, who was a union laborer, who commented on same and asked the Mayor to put local union people to work-Unemployed Berwyn resident, Michelle Ortiz, union laborer stated same-The Mayor addressed the concerns and then explained the bid qualifications and how it is only based on prevailing wage being paid out and not on union laborers-The Mayor recognized the union president who rebutted, the Mayor then stated, if there was a way to award contracts to only union laborers who worked in the City of Berwyn, he would be more than happy to do so, but the law does not afford for it-Alderman Laureto announced an 8th Ward meeting on October 28, 2010 at 7pm at the 16th Street Firehouse - Alderman Skryd invited all to the Houby Festival and "Czech Oasis" on October 2nd and 3rd -Alderman Chapman thanked all who supported the Oktoberfest and all volunteers who help to make it a success-The Mayor announced that the Finance Department did not need to draw down on the 1 million Line which was authorized at the last City Council meeting. The Mayor stated that he spoke to the governor regarding the matter and that \$800,000 was released to the City of Berwyn for the share of the Illinois Property Tax and also an additional \$235,000 was released to Berwyn for MFT Funds from a surplus-the Mayor informed the Council that there was a new article in the Life on-line news regarding the Ryscek Property and it was inaccurate and that

BERWYN CITY COUNCIL
SEPTEMBER 28, 2010

the Ryscek Property on 22nd Street is owned by the City effective September 27, 2010

4. The minutes of the regular Berwyn City Council meeting and the Committee of the Whole held on September 14, 2010 were submitted. Thereafter, Boyajian made a motion, seconded by Santoy, to concur and approve as submitted. The motion carried by a voice vote.
5. Chapman made a motion, seconded by Boyajian, to suspend the rules and bring forth Items J-7 and J-8. The motion carried by a voice vote. Item J-7 is a communication from the City Engineer regarding the bid award for the 2010 MFT Pavement Marking, MFT Section No. 10-00000-05-GM to Mark-it Corporation, Romeoville, in the amount of \$48,586. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
6. The City Engineer submitted a communication regarding the 7bid award for the 2010 MFT Maintenance, Sidewalk and Curb and Gutter Repairs, Rebid, MFT Section No. 10-00000-06-GM to Robert R. Andreas & Sons of Cicero in the amount of \$136,425. The Mayor then recognized City Engineer, John Fitzgerald, who explained the regulations for the bid process along with the rebid process and the MFT Fund pre qualifications as prescribed by IDOT. Thereafter, Chapman made a motion, seconded by Laureto, to concur and approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Boyajian, Paul, Santoy, Polashek, Avila, Laureto. Nays: Skryd.
7. The Public Works Director submitted a request to open bids and contract for two Municipal Snow Plows. Thereafter, Boyajian made a motion, seconded by Chapman, to grant permission for the corporate authorities and any interested parties to adjourn to the Conference Room to open, tabulate and return same to the Council Chambers for reading. The motion carried by a voice vote.
8. Chapman made a motion, seconded by Boyajian, to suspend the rules and bring forth items F-1, F-2, and J-2 as germane. The motion carried by a voice vote. Item F-1 is a Resolution from the Mayor recognizing and congratulating the Cook County Department of Homeland Security and Emergency Management. Thereafter, Avila made a motion, seconded by Skryd, to concur and **adopt** the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. . The motion carried by a voice vote.

Thereafter, the Mayor recognized a representative from the Cook County Department of Homeland Security and Emergency Management and presented same. The motion carried by a voice vote.

9. The Mayor submitted a communication regarding the appointment of Berwyn Firefighter Engineer, John Novacek, as the Director of Berwyn Emergency Management and Homeland Security Agency. Thereafter, Skryd made a motion, seconded by Boyajian, to concur and approve as submitted. The motion carried by a voice vote.
10. The City Attorney submitted a communication along with an attached ordinance entitled:
AN ORDINANCE AMENDING CHAPTER 240 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
Thereafter, Chapman made a motion, seconded by Avila, to concur and **adopt** the ordinances as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
11. Chapman made a motion, seconded by Skryd, to suspend the rules and bring forth item F-3. The motion carried by a voice vote. Item F-3 is a Proclamation from the Mayor proclaiming October 6, 2010 as "International Walk to School Day" in Berwyn. Thereafter, Santoy made a motion, seconded by Paul, to concur and **adopt** the Proclamation as presented. The motion carried by a voice vote. Thereafter, the Mayor presented the Proclamation to School District #100 representative, Dan Lane.
12. The Berwyn Development Corporation submitted a communication regarding the 2010 Holiday Decorations bid. After discussion, Chapman made a motion, seconded by Skryd, to award the bid to the second lowest bidder, McFarlane Douglass & Companies in the amount of \$25,350. The motion carried by a unanimous roll call vote.
13. The Berwyn Development Corporation submitted a TIF application for Peggy Rose Academy of Dance and Acrobatics, 6829 Stanley Ave. Thereafter, Paul made a motion, seconded by Boyajian, to concur and approve as submitted in an amount not to exceed \$8,196.30. The motion carried by a unanimous roll call vote.
14. The Berwyn Development Corporation submitted a TIF application & Supporting Redevelopment Agreement, Berwyn Kia, 7050 Ogden with an attached ordinance entitled:

AN ORDINANCE AUTHORIZING THE CITY OF BERWYN TO ENTER INTO A CERTAIN AGREEMENT WITH MEYER IMPORTS, INC. TO REDEVELOP CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS

Thereafter, Chapman made a motion, seconded by Skryd, to concur and **adopt** the ordinance as presented and to enter into an agreement and authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

15. The Berwyn Development Corporation submitted a communication regarding the Redevelopment Agreement for 7124-7150 West Cermak Road, Gateway Partners along with an ordinance entitled:

AN ORDINANCE AUTHORIZING THE CITY OF BERWYN TO ENTER INTO A CERTAIN AGREEMENT WITH BERWYN GATEWAY PARTNERS LLC TO REDEVELOP CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS

Thereafter, the Mayor recognized Time Angell, of the Berwyn Development Corporation and asked if there were any re submittals for the property, the Clerk responded, none. Thereafter, Avila made a motion, seconded by Skryd, to concur and **adopt** the ordinance as presented and to authorize the corporate authorities to enter into an agreement and affix their signatures thereto. The motion carried by a unanimous roll call vote.

16. The Clerk submitted a communication requesting approval of Closed Committee of the Whole minutes of July 27th, August 10th, and August 24, 2010 as reviewed in closed session on September 14, 2010. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a voice vote.

17. The Clerk submitted correspondence from the U.S. Census Bureau regarding 2010 Census recognition, recognizing the City of Berwyn's Complete Count Committee for their participation and efforts which helped make the Chicagoland Region the number 1 in the nation with a 78% participation rate, recognizing Robert E. Dwan, Chairman, Thomas J. Pavlik, Joseph Kroc, Margret Paul, Rafael Avila, Brian Pabst, Tammy Clausen, Art Lefebvre, Jeff Janda, Joseph Vallez, Joseph Keating, James Haptonstahl, Sarah Saenz, Sandi Radke, Noel Staubus, and Nina Nowaczyk. Thereafter, Skryd made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.

18. A deferred communication from the Zoning Board of Appeals regarding the Resolution/Ordinance for Carolina Sanchez, d/b/a Let's Play, Inc., 6236 W. Ogden Avenue. After discussion, Boyajian made a motion, seconded by Chapman, to refer the matter to the Building, Zoning, and Planning Committee, Parking and Traffic Committee, and the Fire Department for investigation. The motion carried by a voice vote.
19. The bid tabulation was returned to the Council Chambers for reading for the purchase of the Poly Snowplow. Bid results were as follows: Bourbonnais Supply, Inc. Bourbonnais, Illinois, \$15,175, R.G. Smith Equipment Company, DesPlaines, Illinois, \$19,834. Thereafter, Polashek made a motion, seconded by Avila, to defer & refer to the Public Works director for review and recommendation. The motion carried by a voice vote.
20. Alderman Laureto submitted a communication regarding Parking/Commodore Barry Post and requesting diagonal parking places be installed in the cul-de-sac designated parking for Commodore Barry patrons. Thereafter, Laureto made a motion, seconded by Avila, to concur and instruct the Public Works department to fabricate three signs and install upon completion. The motion carried by a unanimous roll call vote.
21. Alderman Laureto submitted a communication along with a copy of the Cook County Feral Colony ordinance. Thereafter, Laureto made a motion, seconded by Skryd, to refer to the Law Department for the drafting of an ordinance. The motion carried by a voice vote.
22. The Parking and Traffic Committee submitted a communication from a meeting held on September 22, 2010 regarding a proposal to require residents to petition for traffic control devices and special block parking. After discussion, Paul made a motion, seconded by Laureto, to refer the matter to the Law Department and Traffic Engineer for review and the drafting of a petition. The motion carried by a voice vote.
23. The Parking and Traffic Committee submitted a communication from a meeting held on September 22, 2010 regarding a review of 2 hour parking restrictions 3100 Stanley & Oak Park Ave. After discussion, Paul made a motion, seconded by Skryd, to accept the matter as informational and take no further actions regarding same. The motion carried by a voice vote.

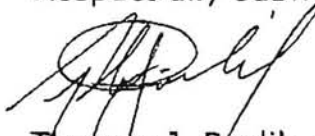
BERWYN CITY COUNCIL
SEPTEMBER 28, 2010

24. The Parking and Traffic Committee submitted a communication from a meeting held on September 22, 2010 regarding Overnight Parking Ban Enforcement. Thereafter, Paul made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
25. The Parking and Traffic Committee submitted a communication from a meeting held on September 22, 2010 regarding review of City Ordinance 484.04A entitled School District Special Visitor Parking Pass. After discussion, Paul made a motion, seconded by Laureto, to refer the matter back to the Parking and Traffic Committee. The motion carried by a voice vote.
26. The City Attorney submitted a request to authorize the settlement of Case No. 03WC28015 in the amount of \$15,000. Thereafter, Skryd made a motion, seconded by Avila, to concur and approve for payment. The motion carried by a unanimous roll call vote.
27. The City Administrator submitted a communication regarding the purchase of two currently leased Pace Vans with intent to auction and to lease two new Pace Vans. Thereafter, Chapman made a motion, seconded by Avila, to concur and approve as submitted and to authorize the City Administrator to enter into an agreement and authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
28. The City Administrator submitted a communication regarding the 2010 Annual Audit requesting permission to enter into an agreement with Crowe Horwath to perform the 2010 financial and single audit for the City for one year. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve as submitted and to authorize the corporate authorities to enter into an agreement and affix their signatures thereto. The motion carried by a unanimous roll call vote.
29. The Library Director submitted a communication requesting the replacement of Page for 16 hours and a Page for 13 hours. Thereafter, Chapman made a motion, seconded by Skryd, to concur, waive the hiring freeze and approve as submitted. The motion carried by a unanimous roll call vote.
30. The Director of Information Technology submitted a communication requesting the approval of Library IT Manager posting. Thereafter, Chapman made a motion, seconded by Skryd, to concur, waive the

hiring freeze, and approve as submitted. The motion carried by a voice vote.

31. The Community Development Block Grant Department submitted a Resolution congratulating Alice Hamilton on her retirement from HUD. Thereafter, Skryd made a motion, seconded by Avila, to concur and adopt the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by roll call vote.
32. Consent Agenda-K-1 through K-10 were submitted
K-1-Deferred, Clerk, handicap sign, D. Nepomuck-Williams, 2447 East Ave. **Deny**
K-2-Budget Chair, payroll for September 15, 2010, \$1,009,142.75
K-3-Budget Chair, payables for September 28, 2010, \$2,404,525.66
K-4-Paul-handicap sign, J. Jezek, 6905 W. 29th St. **Approve**
K-5-Polashek, handicap sign, S. Moreno, 1626 Scoville, **Deny**
K-6-Avila, handicap sign, A. Vacek, 2309 Clinton, **Approve**
K-7-Laureto-handicap sign, P. Tuschen, 1242 Euclid, **Approve**
K-8-Block garage sale, 3400 Ridgeland, October 2, 2010
K-9-BHS, Historic Berwyn's Bungalow Tour, September 26, 2010
K-10-Piper School, Block party/Carnival, September 30, 2010
Thereafter, Avila made a motion, seconded by Skryd, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.
33. The Mayor announced a Public Hearing scheduled for Tuesday, October 26, 2010 at 5:45 p.m. regarding proposed Zoning Code and Map.
34. Alderman Skryd called for an Administration Committee meeting for Monday, October 18, 2010 at 5:30 p.m.
35. 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 9:15 p.m. The motion carried by a voice vote.

Respectfully submitted,



Thomas J. Pavlik, CMC
City Clerk

COMMITTEE OF THE WHOLE
SEPTEMBER 28, 2010

1. The Committee of the Whole was called to order by Mayor Lovero at 6:05 p.m. Upon the call of the roll, the following responded present: Chapman, Boyajian, Paul, Skryd, Avila, Laureto. Absent: Santoy, Polashek.
2. Avila made a motion, seconded by Boyajian, to excuse Aldermen Santoy and Polashek. The motion carried by a voice vote.
3. Ethics Commission Presentation-The Mayor recognized Jaime Flores and Wayne Parthun of the Ethics Commission, who gave presentation regarding flow chart procedures for making a compliant to the Ethics Commission, see attached handout. Thereafter, the Mayor or the Council had no questions regarding the presentation. Mr. Flores reminded the Mayor that both their terms will expire in December, 2010 and that Chairman Fron's term will expire in 2011.
4. Willowbrook Ford Kia Presentation-New Dealership on Ogden Avenue-The Mayor recognized Anthony Griffin of the Berwyn Development Corporation who gave a presentation regarding Kia Corporation's need to proceed with bringing the dealership to Berwyn. Griffin explained the 10 mile radius for a similar dealership and how the matter has been satisfied with Evergreen Kia. Mr. Griffin introduced Al Meyer, of Willowbrook Kia, who addressed the Council by explaining the history of the Hyundai Kia Corporation Group and their vast improvements over the last year and their success in the market. Mr. Meyer stated by bringing the Kia Dealership to Berwyn, he hopes to make it the number one dealership in the State of Illinois and thanked the BDC for the remarkable job in removing all obstacles with regards to relocating the Kia Dealership to Berwyn. The Mayor stated that this is Item E-3 on the Council agenda, and explained that the Redevelopment Agreement will be discussed in the closed session of the Committee of the Whole. Alderman Avila questioned the scheduled date of opening. Mr. Meyer responded January, 2011.

Alderman Polashek present at 6:17 p.m.

5. Crowe-Horwath LLP Presentation-The Mayor recognized Finance Director, John Wysocki who introduces Christine Torres of Crowe-Horwath LLP, who gave a presentation for entering into an agreement to contract the 2010 City Audit, which is Item J-4 on the Council agenda. Following the presentation by Ms. Torres, City Administrator, Brian Pabst explained why

COMMITTEE OF THE WHOLE
SEPTEMBER 28, 2010

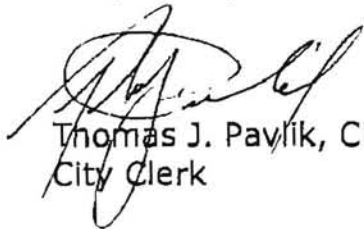
the City put this out for proposals and stated that it is good practice to go out for competitive bids after dealing with the same audit company for many years and it's good to have the city's finances viewed by a set of new eyes.

6. The Mayor asked if there were any other questions regarding agenda items. Alderman Skryd questioned item J-3, Purchases of currently leased Pace Vans and asked if there needs to be separate motions made for each item. Administrator Pabst stated that only one motion, to approve the recommendation which also handles the lease of the two new Pace Vans, is necessary.
7. Item J-2-Ordinance amending Chapter 240 of the codified ordinances -City Attorney Bertuca explained that there is an amended version on all the aldermen's desk, because of typos found in the text.
8. Alderman Skryd questioned item J-6, Approval of Library IT Manager position. The Mayor explained this item will be discussed in the closed session and James Frank, IT Director, will be giving a presentation, because this is a personnel matter.

Alderman Santoy present at 6:30 p.m.

9. Paul made a motion, seconded by Avila, to close the Committee of the Whole for personnel, pending litigation, land acquisition, and real estate. The motion carried by a voice vote at 6:30 p.m.
10. Skryd made a motion, seconded by Santoy, to reopen the Committee of the Whole at 7:35 p.m. The motion carried by a voice vote.
11. Boyajian made a motion, seconded by Avila, to adjourn the Committee of the Whole at 7:35 p.m. The motion carried by a voice vote.

Respectfully submitted,



Thomas J. Pavlik, CMC
City Clerk



D. Bid Openings Tabulations

The City of Berwyn



Robert P. Schiller
Director of Public Works

A Century of Progress with Pride

October 8, 2010

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

Re: Recommendation to Award Two 10' snow plows

The Berwyn Public Works Department received two proposals for supply of two 10' snow plows. The bids were opened at the September 28, 2010 city council meeting. The first bid was from RG Smith in the amount of \$19,834.00 including the trade-in of our obsolete snow plows that are in disrepair. The second was from Bourbonnais Supply in the amount of \$15,175.00 including our trade-ins.

I have evaluated these proposals and researched the exceptions to the specifications noted in both proposals. Although the plows from Bourbonnais Supply deviate from the specifications, staff believes the plows proposed will perform satisfactorily, in addition to saving over \$4,600. The plows have a full 1 year warranty and will be delivered in four to six weeks. The snow plows are budgeted within the 2007 Bond.

Recommended Actions:

Therefore, staff recommends award for supply of two 10' snow plows to Bourbonnais Supply in the amount of \$15,175.00 including the trade-in of our obsolete, and therefore unusable, snow plows.

Respectfully,

Robert Schiller
Director of Public Works

CITY OF BERWYN

CITY COUNCIL MEETING (Date) 10/12/10

Deferred Communication

Agenda Item D-1 is a Deferred Communication from C C Meeting dated 09/28/10 #19

FROM PUBLIC WORKS DIRECTOR

Re: BIDS-POLY SNOWPLOW



**E. Berwyn Development Corp. –
Berwyn Township/Health District**



October 12, 2010

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

**Re: International Economic Development Council Award – City of
Berwyn, Town of Cicero, and Village of Oak Park**

Dear Mayor and City Council,

I am pleased to present the City of Berwyn with a plaque recently awarded to the City of Berwyn, Town of Cicero, and Village of Oak Park as the recipient of a 2010 Excellence in Economic Development Award from the International Economic Development Council (IEDC). The municipalities received an Honorable Mention in the category of Regionalism & Cross-Border Promotion for communities with populations of 25,000 – 200,000 for the *Roosevelt Road Multi-Jurisdictional Economic Development Plan and Form Based Code*. The honor was presented at an awards ceremony on Tuesday, September 28 during the IEDC Annual Conference in Columbus, Ohio.

The City of Berwyn and the Village of Oak Park, in partnership, completed a corridor study in 2003 for the Roosevelt Road corridor. The corridor spans three municipal boundaries in addition to the County and State of Illinois right-of-way. In 2006, the Town of Cicero joined with Berwyn and Oak Park to work collaboratively in an effort to improve the Roosevelt Road Corridor; this led to an Intergovernmental Agreement (IGA) signing in April of 2007 by all three elected boards. The IGA created a multi-jurisdictional Roosevelt Road Advisory Committee (RRAC) to implement action steps identified in the initial corridor study. The collaborative group oversaw the creation of a uniform streetscape design and a comprehensive form-based zoning code throughout the corridor. The creation and adoption of the Form Based Code was achieved by all three communities in late 2010 with construction of a comprehensive \$12 million streetscape improvement currently underway that will transform the shared corridor.

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



The effort of Berwyn on this initiative spans several administrations starting in 2001 along with the dedication of the business community, City staff, elected officials, and residents. Nicole Campbell (City staff); Lance Malina (resident); Matt Speer (Business Owner); and Paul Zimmermann (RRBA President) currently serve on the RRAC on behalf of Berwyn. Brian Pabst, in his previous position with the BDC, spearheaded efforts to create the RRAC and also served on the respective advisory committee. This complete effort in collaboration with Oak Park and Cicero has led to the current work on Roosevelt Road.

The Excellence in Economic Awards Program annually recognizes the world's best economic development programs and partnerships, marketing materials, and the year's most influential leaders. The program honors organizations and individuals in 28 categories for their efforts in creating positive change in urban, suburban, and rural communities.

The International Economic Development Council (IEDC) is the premier membership organization dedicated to helping economic development professionals create high-quality jobs, develop vibrant communities, and improve the quality of life in their regions. Serving more than 4,500 members, IEDC represents the largest network of economic development professionals in the world.

Respectfully presented to the City as informational,

A handwritten signature in black ink, appearing to read "Anthony Griffin", is written over a faint, larger version of the same signature.

Anthony Griffin
Executive Director



E-2

October 7, 2010

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

Re: *6846 Windsor – Contract and Ordinance for the Acquisition of Property within the Amended Depot Tax Increment Financing District*

Dear Mayor and City Council,

Please find attached a draft contract for the purchase of the parcel located at 6846 Windsor Avenue by the City.

At the Council's executive session on July 13, the Council gave BDC staff and special legal counsel direction to negotiate a purchase price of \$75,000 for the property. The purchase price agrees with the appraisal that the City commissioned early this year along with a share of environmental remediation work. As discussed for sometime, the property is environmentally contaminated but remediated and studied over the past year by the land owner. The property owner is currently moving through the State process to secure a "No Further Remediation ("NFR")" letter from the Illinois Environmental Protection Agency.

The City has explored turning this site into a pocket park through a partnership with the Berwyn Park District. We must wait until the NFR letter is granted by IEPA before the City can grade the site for use.

Finally, the contract contains a provision that the City will pay the property owner an amount of \$10,000 for remediation costs.

The BDC and special legal counsel recommend approval of the purchase contract. The site will be a valuable addition to the Depot District, becoming another attraction that will benefit the general public and business corridor.

Respectfully submitted for your consideration,

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

Anthony Griffin
Executive Director

THE CITY OF BERWYN
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER _____

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL
PROPERTY LOCATED AT 6846 WINDSOR AVENUE**

Robert J. Lovero, Mayor
Thomas J. Pavlik, City Clerk

Nona Chapman
Jeffrey Boyajian
Margaret Paul
Michele Skryd
Cesar Santoy
Theodore Polashek
Rafael Avila
Nora Laureto
Aldermen

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn on October 12, 2010.

ORDINANCE No. _____

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL
PROPERTY LOCATED AT 6846 WINDSOR AVENUE**

WHEREAS, the City of Berwyn (the “City”) is a home rule unit of local government as is provided by Article VII, Section 6(a) of the Illinois Constitution (1970) and, as such, may exercise various powers and perform numerous functions pertaining to its government and affairs in any manner not otherwise prohibited by law; and

WHEREAS, to stimulate and induce redevelopment pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.*, (the “TIF Act”), and to encourage municipal revitalization, after giving all notices and conducting all public hearings required by law, the City has approved and subsequently amended a redevelopment project and plan (collectively, the “Redevelopment Plan”); designated a Redevelopment Project Area (as hereinafter defined); and adopted tax increment financing (“TIF”) for the Redevelopment Project Area (collectively, the “TIF Ordinances”); and

WHEREAS, the TIF Ordinances, among other things, established a South Berwyn (Depot) Redevelopment Project Area in accordance with the TIF Act for certain areas of the City (the “Redevelopment Project Area”); and

WHEREAS, pursuant to a certain commercial sales contract (the “Purchase Contract”), attached hereto as Exhibit A and incorporated herein by reference, the City is the contract purchaser, with nomination or assignment rights, of certain real property and all easements, rights-of-way and appurtenances used in connection with the beneficial use and enjoyment thereof (collectively, the “Property”); and

WHEREAS, the Property, which is legally described in Exhibit B, attached hereto and

incorporated herein by reference, is designated with Permanent Index Number 16-31-126-001-0000, and is commonly known as 6846 Windsor Avenue, Berwyn, Illinois; and

WHEREAS, the Property is located within the boundaries of the Redevelopment Project Area; and

WHEREAS, the City received correspondence from Civil & Environmental Consultants, Inc. ("CEC"), in which correspondence CEC stated that the firm reviewed all relevant investigative reports and data from the Illinois Environmental Protection Agency ("IEPA"), used those reports and data to direct remediation of contaminants found on a portion of the Property, and found that further investigation of the Property is not warranted since all contaminants were addressed and remediated at such a level to achieve a No Further Remediation letter from IEPA, and

WHEREAS, the Berwyn Development Corporation ("BDC") directed the firm of MaRous & Company to inspect and appraise the Property at a fair market value, and

WHEREAS, MaRous & Company provided the BDC with an appraisal of the Property and subsequent correspondence, both of which addressed the presence of contaminants and CEC's correspondence stating that the contaminants were remediated to a sufficient level to achieve the NFR letter, so as to accurately reflect the fair market value of the Property once the remediation was accomplished, and

WHEREAS, the City performed all due diligence by the use of the aforementioned professional firms to provide opinions necessary to determine the appropriate level of remediation required on the Property to safeguard the general health, safety, and welfare of the adjoining property owners and the public at large, and

WHEREAS, pursuant to Section 11-74.4-4 of the TIF Act (65 ILCS 5/11-74.4-4), the City is authorized to acquire, own and convey land and other property, real or personal, or rights or interests therein, located within a redevelopment project area; and

WHEREAS, the City intends to acquire the Property from the current owner(s) of record pursuant to the terms of the Purchase Contract; and

WHEREAS, the purchase of the Property will further the objectives of the Redevelopment Plan and will otherwise promote the health, safety and welfare of the City and its inhabitants by eradicating blight, encouraging private development, enhancing the local tax base and increasing employment opportunities; and

WHEREAS, based upon the foregoing, the Mayor and the City Council have determined that it is in the best interests of the City and its residents to acquire ownership of the Property;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its home rule powers, and in reliance upon the correspondence from CEC and Marous & Company, as follows:

Section 1. The statements set forth in the preamble to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

Section 2. The City Council hereby finds and determines that it is necessary and advisable and otherwise in the best interests of the City to acquire the Property, and that so doing is in furtherance of the Redevelopment Plan and the goals and objectives set forth in the TIF Act.

Section 3. The Purchase Contract is hereby approved. The City hereby accepts assignment of the Purchase Contract.

Section 4. The City's legal counsel is hereby authorized to negotiate and undertake any and all actions on the part of the City to effectuate the City's acquisition of the Property, as set forth herein.

Section 5. The Mayor is hereby authorized to execute any and all documents required to complete the City's acquisition of the Property and to carry out the objectives set forth in this Ordinance. The City Clerk is hereby authorized and directed to attest to and countersign any such documents, as required.

Section 6. All prior actions of the City's officials, employees and agents with respect to the subject matter of this Ordinance are hereby expressly ratified.

Section 7. The provisions of this Ordinance are hereby declared to be severable, and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

Section 8. All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 9. This Ordinance shall be immediately in full force and effect after passage, approval and publication. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.

[Remainder of page intentionally left blank.]

ADOPTED by the City Council of the City of Berwyn, Cook County, Illinois on this
 ____ day of _____ 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
TOTAL				

APPROVED this ____ day of _____ 2010.

 Robert J. Lovero
 MAYOR

ATTEST:

 Thomas J. Pavlik
 CITY CLERK

EXHIBIT A
PURCHASE CONTRACT

PURCHASE AND SALE AGREEMENT

1. US Bank, as Successor Trustee to York State Bank & Trust Company, as Trustee under Trust Number 1145, and Yvonne Oswald, beneficial owner with power of direction under said land trust, hereafter referred to collectively as "Seller", agree to sell, and the City of Berwyn, an Illinois municipal corporation and home rule unit of local government, hereafter referred to as "Purchaser", agrees to buy, the unimproved real property commonly known as 6846 Windsor Avenue/3241-3247 Kenilworth in the City of Berwyn, Cook County, Illinois and having a Parcel Identification Number of 16-31-126-001-0000, a complete legal description being attached hereto as **Exhibit A** (hereinafter referred to as "the Premises"), together with all existing improvements and fixtures, if any.
2. PURCHASE PRICE. At the Closing, Purchaser shall pay the sum of Seventy Five Thousand and 00/100 Dollars (\$75,000.00).
3. ADDITIONAL PAYMENT. In addition to payment of the Purchase Price at Closing, Purchaser shall pay Seller the sum of Ten Thousand and 00/100 Dollars (\$10,000.00) to defray a portion of costs incurred by Seller in connection with remediation efforts and the issuance of the NFR Letter (as hereafter defined). The parties stipulate that Purchaser did not oversee, supervise, review or participate in any manner whatsoever in the work performed by Seller in connection with issuance of the NFR Letter.
4. CONDITION PRECEDENT. Closing is contingent upon issuance by the Illinois Environmental Protection Agency of a No Further Remediation Letter ("NFR Letter") to Seller for Incident Number 20100614 pursuant to Section 734.705(a) of the Illinois Underground Storage Tank Regulations ("UST Regulation"), 35 IAC 734.705(a), based upon approval by IEPA of a report submitted pursuant to Section 734.210(h)(3) of the UST Regulation, 35 IAC 734.210(h)(3). The Seller, upon receipt of the NFR Letter, shall, without unreasonable delay, delivery a copy of same to Purchaser.
5. TERMINATION. In the event IEPA does not issue the NFR Letter to Seller by November 12, 2010, or on the date, if any, to which said date is extended by agreement of the parties or if the terms of the NFR Letter restrict or prohibit residential use of the Property, either party

PURCHASE AND SALE AGREEMENT

may terminate this agreement by providing ten (10) days written notice to the other party, in which case neither party shall have any obligation to the other under this Agreement.

6. **THE CLOSING DATE:** The closing date shall be thirty days after Seller delivers the NFR Letter to Purchaser, or on the date, if any, to which said date is extended by agreement of the parties, at the offices of Seller's counsel or a mutually agreeable location.
7. **THE DEED:** Seller shall convey or cause to be conveyed to Purchaser or Purchaser's nominee, by a recordable, stamped warranty deed, good title to the Premises subject only to the following "permitted exceptions": (a) general real estate taxes not due and payable at time of closing; (b) special assessments confirmed after this Agreement date; (c) building, building line and use or occupancy restrictions, conditions and covenants of record; (d) zoning laws and ordinances; (e) easements for public utilities; and (f) the No Further Remediation Letter referred to in Paragraph 4.
8. **PRORATIONS:** Real estate taxes payable shall be paid by or at closing by Seller. Real estate taxes that are a lien on the Premises but not yet payable shall be prorated to the date of closing based upon 110% of the most recent available tax bill. Seller represents that there have been no improvements to the Premises which are not included in full in the determination of the net assessed valuation or in the calculation of the latest known tax bill, whichever method of proration is selected above. This representation shall survive the closing.
9. **PURCHASER REPRESENTATIONS AND DISCLAIMERS:** As an inducement to Seller's entering into this Agreement, and surviving the Closing and the issuance of the Deed, Purchaser warrants and represents to Seller that:
 - (a) Except as may be specifically stated in this Agreement, the conveyance of the Premises is made on an "AS IS/ WHERE IS" basis, and Purchaser expressly acknowledges in consideration of the agreements of Seller herein, except as otherwise specified herein, Seller makes no warranty or representation, express or implied, or arising by operation of

PURCHASE AND SALE AGREEMENT

law, including, but in no way limited to, any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Premises.

- (b) Seller has not made, and does not make, and hereby disclaims, any and all express or implied guaranty, representation and warranty, oral or written, past, present or future, of, as to or concerning the surface or subsurface environmental conditions, the surface or subsurface geo-technical conditions, suitability for any particular purpose, susceptibility to flooding, value, marketability, layout, square footage, income, expenses, zoning, use and occupancy restrictions, operation, compliance with, and environmental cleanup and regulatory compliance of liability associated with, ENVIRONMENTAL LAWS and laws and regulations relating to, HAZARDOUS MATERIALS or underground storage tanks and legal requirements or any other matter or thing affecting or relating to the Premises. The Purchaser acknowledges that no such representations or warranties, expressed or implied, have been made, and Purchaser is not relying on any such express or implied or considered warranty or representation.
- (c) With the exception of liability for breach of this Agreement or the making of misrepresentations herein, Purchaser, individually and irrevocably, and on behalf of Purchaser's beneficiaries, employees, agents, heirs, executors, administrators, personal representatives, fiduciaries, successors and assigns, hereby irrevocably releases, acquits and forever discharges Seller, its beneficiaries, employees, agents, heirs, executors, administrators, personal representatives, fiduciaries, successors and assigns, from any and all demands, damages, actions, causes of action, pursuits in equity or law, claims in cost recovery or contribution, or claims of whatsoever kind or nature, known or unknown, whether heretofore or hereinafter accruing, for or because of any matter or thing done, or omitted or suffered to be done by any party prior to and including the date of Closing, pertaining to the ownership, operation or control of the Premises, including, by way of example, and without limitation, any and all claims under the ENVIRONMENTAL LAWS related to the disposal of HAZARDOUS MATERIALS at, on or having emanated

PURCHASE AND SALE AGREEMENT

from the Premises into soil, groundwater or atmosphere.

- (d) The terms, representations and covenants of this section shall survive the Closing.
- (e) The term ENVIRONMENTAL LAWS means any and all laws relating to the regulation and protection of human health, safety, the environment and natural resources now or hereafter in effect, as amended or supplemented from time to time, including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq., the Hazardous Materials Transportation Act, 49 U.S.C. § 5101 et seq., the Federal Water Pollution Control Act, 33 U.S.C. § 1251 et seq., the Clean Air Act, 42 U.S.C. § 7401 et seq., the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136 et seq., the Occupational Safety and Health Act, 29 U.S.C. § 651 et seq., any and all regulations, administrative program promulgated thereunder, and all analogous state and local counterparts or equivalents, including, without limitation, the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq., any local ordinance, and any theory of federal or state common law tort or toxic tort, including, without limitation, negligence, trespass, public or private nuisance, strict liability or ultrahazardous activity.
- (f) The term "HAZARDOUS MATERIALS" shall mean: (i) "hazardous substance" as that term is defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA") as amended from time to time, and as interpreted by courts of competent jurisdiction, and (ii) "hazardous substance" as that term is defined in the Illinois Environmental Protective Act, as amended from the time, and as interpreted by courts of competent jurisdiction; (iii) petroleum, including fractions thereof; and (iv) radioactive nuclear materials; and (iv) "regulated substance" as that term is defined under the Illinois Risk Based Cleanup Objectives regulation, 35 IAC 742. By way of description and not of limitation, the term HAZARDOUS MATERIALS includes volatile organic compounds, polynuclear aromatic hydrocarbons, lead and arsenic.

PURCHASE AND SALE AGREEMENT

(g) Any reports supplied or made available by Seller to Purchaser, whether written or oral, or in the form of maps, surveys, plats, soil reports, engineering studies, environmental studies or other inspection reports pertaining to the Premises, including the reports and data identified on **Exhibit B** hereto were delivered to Purchaser on an "AS IS/WHERE-IS" basis solely as a courtesy and Seller has neither verified the accuracy of any statements or other information therein contained, nor any method used to compile the reports or the qualifications of the person(s) preparing the reports and Seller makes no representation, express or implied, or arising by operation of law as to the accuracy, completeness or any other aspect of the reports.

10. SELLER REPRESENTATIONS: As an inducement to Purchaser's entering into this Agreement, and surviving the Closing and the issuance of the Deed, Seller warrants and represents to Purchaser that:

- (a) there is no Listing Broker or any other person who would be entitled to compensation by reason of assisting Seller in the listing or sale of the Premises; and
- (b) Seller is under no legal disability to sell the Premises to Purchaser.

11. TITLE:

- (a) At least five (5) business days prior to the Closing, Seller shall furnish or cause to be furnished to Purchaser, at Seller's expense, a commitment issued by a title insurance company licensed to do business in the State of Illinois, to issue an owner's title insurance policy on the current form of American Land Title Association Owner's Policy (or equivalent policy) including coverage over General Schedule B exceptions, in the amount of the purchase price covering the date hereof, subject only to: (i) the "permitted exceptions" as set forth in Paragraph 7; (ii) title exceptions pertaining to liens or encumbrances of a definite ascertainable amount, which may be removed by the payment of money at the time of Closing (an amount sufficient to secure the release of such title exceptions shall be deducted from the proceeds of sale due Seller at closing); and, (iii)

PURCHASE AND SALE AGREEMENT

acts done or suffered by, or judgments against Purchaser, or those claiming by, through or under Purchaser.

(b) Seller shall have until Closing to have any unpermitted exceptions disclosed in the title commitment waived, or to have the title insurer commit to insure against loss or damage that may be caused by such exceptions. If Seller fails to have the unpermitted exceptions waived, or, in the alternative, to obtain a commitment for title insurance specified above as to such exceptions, within the specified time, Purchaser may terminate the Agreement, or may elect, at Closing, to take the title as it then is, with the right to deduct from the purchase price, liens or encumbrances of a definite or ascertainable amount. If Purchaser does not so elect, this Agreement between the parties shall become null and void, without further action of the parties.

(c) Each party shall pay that portion of the cost of the title report customarily and usually payable by that party in real estate transactions such as this.

12. **AFFIDAVIT OF TITLE:** Seller shall furnish Purchaser at closing with an Affidavit of Title, covering the date of closing, subject only to those permitted exceptions set forth in Paragraph 7, and unpermitted exceptions, if any, as to which the title insurer commits to extend insurance in the manner specified in paragraph 11. In the event that this contract between the parties calls for title to be conveyed by a Trustee's Deed, the Affidavit of Title required to be furnished by Seller shall be signed by the beneficiaries of said Trust.

13. **INSPECTIONS AND WARRANTIES:** Purchaser shall be permitted reasonable inspection of the Premises prior to closing.

14. **PERFORMANCE:** Time is of the essence of this Agreement. Should Purchaser fail to perform this Agreement, then at the option of the Seller and upon written notice to Purchaser, this Agreement shall become null and void and Seller shall have the right, if necessary and applicable, to re-enter and take possession of the Premises aforesaid, and all right in and title to the Premises and any and all improvements made upon said Premises by Purchaser shall

PURCHASE AND SALE AGREEMENT

vest in Seller. Purchaser or Seller, as the case may be, shall pay all reasonable attorneys' fees and costs incurred by the prevailing party in enforcing the terms and provisions of this Agreement, including forfeiture or specific performance, or in defending any proceeding to which Purchaser or Seller is made a party as a result of the acts or omissions of the other party.

15. NOTICES: All notices required to be given under this Agreement shall be construed to mean notice in writing signed by or on behalf of the party giving same, and served upon the other party and its attorney personally by a nationally recognized overnight delivery service or deposited properly addressed to such party and attorney, at the addresses set forth in the signature portion of this Agreement, in the U.S. Mail postage paid, certified or registered mail, return receipt requested. Notice shall be deemed effective on the date of postmark and deposit in the U.S. Mail.
16. SURVEY: Prior to closing date, Seller shall at Seller expense deliver to Purchaser or Purchaser's a current ALTA survey of the Premises, certified by a licensed surveyor, having all corners staked and showing all improvements, easements and building lines existing as of the date of this Agreement. At closing, Seller shall provide an affidavit verifying that no changes in improvements have been made since the date of said survey.
17. RISK OF LOSS: In the event, prior to closing, the subject Premises shall be destroyed or adversely affected by fire or other casualty to an extent that the cost of repair thereof exceeds 10% of the purchase price set forth herein, or in the event any portion of the subject Premises shall be taken by condemnation, then, at the option of either party hereto, this Agreement shall be declared null and void.
18. INDEMNIFICATION. Without limiting their rights to other remedies or forms of relief in the event of a breach of this Agreement, the parties agree:
 - (a) Seller shall unconditionally and absolutely defend, indemnify and hold Purchaser harmless from and against all liabilities, costs (including reasonable attorneys fees),

PURCHASE AND SALE AGREEMENT

claims, suits, or judicial or administrative proceedings, arising out of Seller's breach of representations contained in this Agreement.

(b) Purchaser shall unconditionally and absolutely defend, indemnify and hold Seller harmless from and against all liabilities, costs (including reasonable attorneys fees), claims, suits, or judicial or administrative proceedings, arising out of Purchaser's breach of representations contained in this Agreement.

(c) The indemnities contained in this Agreement shall survive the closing and shall inure to the benefit of the indemnitee, its agents, successors and assigns.

19. NO THIRD-PARTY BENEFICIARIES. This Agreement has been negotiated and executed by the parties for the exclusive benefit of the parties. No other person or entity is intended or contemplated to be benefitted by this Agreement, or entitled to enforce its terms or conditions.

PURCHASE AND SALE AGREEMENT

City of Berwyn Representative

Date

US Bank, as Successor Trustee to
York State Bank & Trust
Company, as Trustee under Trust
Number 1145

Date

Mrs. Yvonne Oswald, as beneficial
owner with power of direction
under Trust Number 1145

Date

EXHIBIT A

LOT 10 IN BLOCK 9 IN BERWYN, A SUBDIVISION OF PART OF SECTION 31,
TOWNSHIP 39 NORTH, RANGE 13, LYING EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXHIBIT B

DATE	DOCUMENT
November 5, 1984	Plat of Survey prepared by Pioneer Survey Co.
1992	Phase I environmental site assessment prepared by GSC Environmental Laboratories, Inc (incomplete copy)
1997	Phase 1 Site Assessment prepared by Mostardi Platt
June 1, 1999	Notice that the Illinois Environmental Protection Agency intends to conduct a site reconnaissance at 6846 Windsor Avenue, Berwyn, Illinois
September 17, 1999	IEPA Redevelopment Assessment report
2002 (and thereafter)	Various proposals to the City for additional site assessment, including a proposal submitted by Hydrodynamics Consultant, Inc., Laicon, Inc., CPI Environmental Services, Inc., Bureau Veritas, Civil & Environmental Consultants, Inc.
November 12, 2007	Phase I Environmental Site Assessment prepared by American Environmental Consultants, Inc.
September 24, 2008	Proposal to remove underground storage tanks prepared by American Environmental Consultants, Inc.
October 15, 2008	Letter report on improbability that PERC (dry cleaning solvent) was stored in underground storage tanks on the property prepared by American Environmental Consultants, Inc.
January 26, 2009	Proposal for limited site investigation prepared by Matrix Environmental
March 11, 2009	Revised Proposal for limited site investigation prepared by Matrix Environmental
April 19, 2010	Transmittal to Attorney Healy of sampling locations and data from October 2009 limited site investigation prepared by Matrix Environmental
May 5, 2010	Proposal for test pit program prepared submitted by CEC
July 12, 2010	Leaking Underground Storage Tank Program 20-Day Certification, IEMA Incident # 20100614
July 22, 2010	Leaking Underground Storage Tank Program 45 Day Completion Report prepared by Civil & Environmental Consultants, Inc., Incident No. H2010-0614
September 3, 2010	Letter from John Yates and Gregory Weeks of Civil & Environmental Consulting, Inc. to Mayor Lovero regarding CEC Project No. 101-490

EXHIBIT B
LEGAL DESCRIPTION OF THE PROPERTY

LOT 10 IN BLOCK 9 IN BERWYN, A SUBDIVISION OF PART OF SECTION 31,
TOWNSHIP 39 NORTH, RANGE 13, LYING EAST OF THE THIRD PRINCIPAL MERIDIAN,
IN COOK COUNTY, ILLINOIS.



October 8, 2010

Mayor Robert Lovero
Members of City Council
Berwyn City Hall
6700 West 26th Street
Berwyn IL 60402

Re: *Newspaper Dispensing Device Ordinance*

Dear Mayor and City Council:

This memorandum summarizes BDC staff's efforts to create a program that would curb the proliferation of news racks throughout the City, especially in our commercial corridors, improve the appearance of those corridors and allow for the orderly distribution of newspapers and other publications to the general public.

In March of this year, the Business License and Taxation Committee of the City Council reviewed the current status of newspaper vending machines throughout the City limits. The committee recommended that Chapter 859 of the City Code be revised to increase the permit fees for news stands and vending machines, and to remove devices used to distribute periodicals and other publications, and referred those revisions to City staff for implementation. Afterwards, City staff contacted the BDC to aid in developing a comprehensive program for regulation of newspaper dispensing devices.

BDC staff contacted several communities in northeastern Illinois that have approved revisions to their municipal code concerning news racks and devices that dispense newspapers and other publications. We believe that the efforts from Des Plaines and Downers Grove seemed to be the most appropriate to adapt for Berwyn's use.

Additionally, BDC staff contacted the Illinois Press Association, which represents almost every news organization in the state, concerning methods to regulate newspaper and periodical distribution. We asked the Association's governmental affairs director to review Des Plaines' ordinance, since that Des Plaines' legal staff worked with the IPA to craft their ordinance during my tenure with that community. Des Plaines consulted with the IPA because the City was sensitive to First Amendment issues that may arise if Des Plaines placed overly burdensome restrictions on the ability of newspaper and periodical publishers to distribute their publications to the general public. The IPA representative stated that the Association would support Berwyn's efforts if we used Des Plaines' program as a template.

BDC staff then surveyed Berwyn's major commercial corridors, and, in consultation with the City Administrator and City Attorney, added the 26th Street corridor to our research. Please find below the results of our field work:

<i>Corridor</i>	<i>Current Number of News Racks</i>
Roosevelt Road	13
16 th Street	12
26 th Street	8
Cermak Road	102
Depot District	49
Ogden Avenue	37
TOTAL	221

Attached to this memorandum is a map showing the boundaries of each corridor, which would be titled a "Modular News Rack District" in the proposed ordinance, which also is attached to this memorandum. In addition, attached are a draft permit application for newspaper dispensing devices, pictures of sample modular news racks, and a question-and-answer sheet for newspaper/periodical publishers.

The draft ordinance contains an annual rental fee of \$25 for every modular news rack leased by a publisher to distribute their publication, and an annual \$25 fee per news rack located outside of a Modular News Rack District. In the Modular News Rack Districts, no individual news racks would be permitted; publishers would be required to lease racks from the City. Individual news racks would be allowed in the City outside of the Districts.

BDC staff recommends that the City use TIF funds to purchase modular news racks that can accommodate current demand in the four TIF Districts, and use proceeds generated from the rental fees described above to purchase modular news racks for 16th Street, 26th Street, the Harlem Metra Station, and the area around the City Library.

The City would be responsible for the costs of any repairs or replacement of modular news racks or individual devices within the racks it leases to publishers. Each publisher would be responsible for the cost of any repairs or replacement due to damage and graffiti of any news rack outside of the Modular News Rack Districts, under the publisher's control.

The ordinance would take effect on January 1, 2011. Upon approval by the City Council, the City could begin purchasing and installing the racks before inclement weather sets in, so that the new modular news racks could be used beginning on New Year's Day.

Per the City's policy, normal bidding procedures for purchasing the news racks would be followed. An estimated cost per rack is \$300, so a modular news rack of eight would cost approximately \$2,400.

Our recommendation is that the City own the modular news racks within the Modular News Rack Districts, so as to more effectively regulate distribution and improve the aesthetics of those districts, in which the City has invested significant amounts of capital and time to install streetscape components. Once the ordinance is adopted, BDC staff will work with city departments to implement the ordinance, including notifying publishers, setting up the rental program, purchasing and installing the racks, and removing non-compliant racks.

Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Tim Angell". The signature is written in a cursive, flowing style with a long horizontal stroke at the beginning.

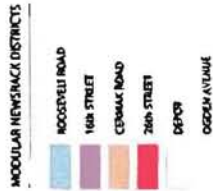
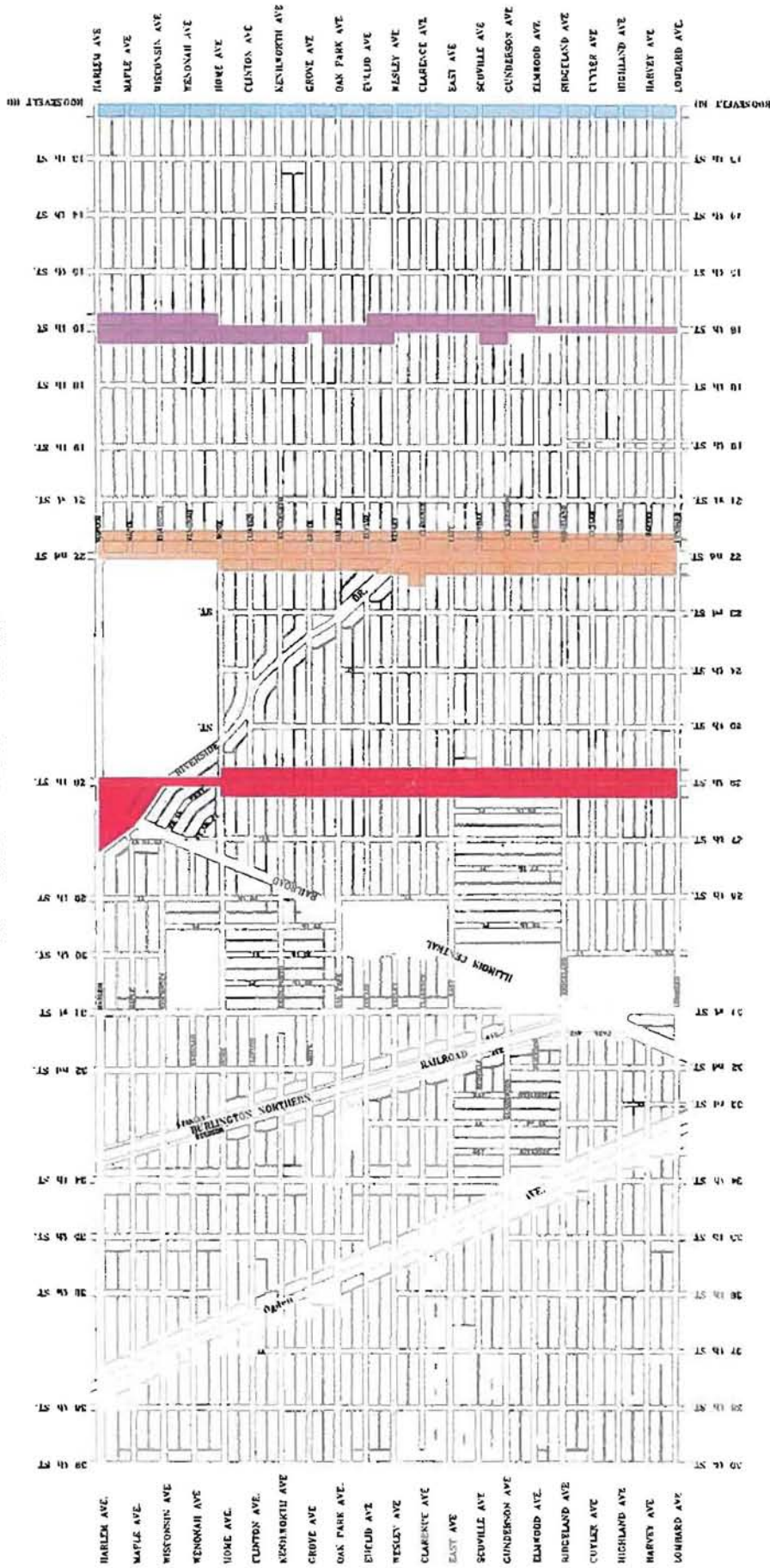
Tim Angell, AICP – Senior Project Manager

CITY OF BERWYN, ILLINOIS

MODULAR NEWSRACK DISTRICT MAP

MAYOR - ROBERT J. LOVERO

CITY CLERK - THOMAS J. PAVLIK



DATE August 2018

[Signature]
 Thomas J. Pavlik
 City Clerk

**CITY OF BERWYN
MODULAR NEWS RACK DISTRICT LOCATIONS**

- **Roosevelt Road, from Lombard Avenue to Harlem Avenue**
- **16th Street, from Lombard Avenue to Harlem Avenue**
- **26th Street, from Lombard Avenue to Harlem Avenue**
- **Cermak Road, from Lombard Avenue to Harlem Avenue**
- **Stanley Avenue, from the Illinois Central railroad to Harlem Avenue**
- **Windsor Avenue, from the Illinois Central railroad to Harlem Avenue**
- **Oak Park Avenue, from 31st Street to 34th Street**
- **Grove Avenue, from 32nd Street to 34th Street**
- **Ogden Avenue, from Lombard Avenue to Harlem Avenue**



49B
100B

100B, 2 49B's

100B

49B, 49B
49DW, 49DW

CITY OF BERWYN
APPLICATION FOR NEWSPAPER DISPENSING DEVICE PERMIT (Rental Fee)

Date of Application: _____

Name of Publication: _____

Publisher Information: _____

(name)

(street address)

(city/state/zip code)

(e-mail address)

(telephone number)

Number & Proposed Location of
Devices in Modular News Rack
Districts, if any:
(attach site plan, and list of locations
if space provided is not sufficient)

All newspaper dispensing devices in Modular News Rack Districts must be in modular news racks provided by the
City of Berwyn

Number & Proposed Location of
Devices NOT in Modular News Rack
Districts, if any:
(attach site plan, and list of locations
if space provided is not sufficient)

Total Number of Devices: _____

Applicant shall attach site plan or diagram depicting proposed locations, including necessary measurements sufficient to confirm compliance with location requirements set forth in Section 859.06 of the Berwyn City Code

By this application, applicant agrees that, if a permit for its devices is granted, it will abide by the requirements of Section 859.06 of the Berwyn City Code for the location, size, and appearance of its devices.

By: _____
(signature)

(print name)

(title or relationship to applicant)

OFFICE USE ONLY:

Date Received:	Locations Approved:	Date Permits Issued:	Initials:
	Locations Denied:	Date Permits Denied:	Initials:

City of Berwyn Newspaper Dispensing Device Ordinance Questions and Answers

When will permits be available and how does my company obtain a permit application?

The City of Berwyn expects to mail out applications for modular news rack dispensing device permits to all publishers who currently have a news rack presence in Berwyn during the month of November 2010. Permits may also be requested by phone at (708) 788-2660, ext. 3241 or in person at the Berwyn City Hall, located at 6700 26th Street in Berwyn. All applicants must complete the appropriate forms and submit them to the City's Licensing Division.

What is the application fee associated with the permit process?

There is an annual application fee for publishers wishing to rent a modular device within the Modular News Rack Districts and for publishers wishing to use non-modular newspaper dispensing devices outside of the Modular News Rack Districts. Both fees are \$25.00 per device.

How many sites are available for modular news rack installations and what are the options for placement within the modular news rack?

The City will initially install a minimum of one modular news rack consisting of four devices within each Modular News Rack District. Depending upon the amount of newspapers and other publications currently available in each District, the City may install additional modular news racks. (A map showing the location of the Districts is available upon request.) A publisher may choose one or more sites depending upon location and availability. Placement will be allocated in the manner described in Section 859.03 of the Ordinance.

Are there additional sites for modular news racks being considered?

There may be a modular news rack located in the City parking garage on Grove Avenue. Other potential sites proposed by publishers will be reviewed and considered by the City of Berwyn.

Who is responsible for the purchase, installation, and maintenance of the modular news racks and individual devices?

The City of Berwyn will purchase and install the modular news racks from a preferred vendor. The size and capacity of the modular news racks at each location within each District will be based upon the current number of news racks in each District. Upon

installation, the City will execute the application with publishers. The City's Public Works Department will be responsible for installation of the modular news racks and removal of non-conforming news racks in each District, in the manner described in Section 859.02.3 of the Ordinance.

The City will be responsible for the costs of any repairs or replacement of modular news racks or individual devices it leases to publishers. Each publisher will be responsible for the cost of any repairs or replacement due to damage of any news rack outside of the Modular News Rack Districts, under the publisher's control.

If a modular news rack device is damaged or needs to be replaced, a publisher must coordinate replacement with the City by contacting the City's Building Director, at (708) 788-2660, ext. 3210.

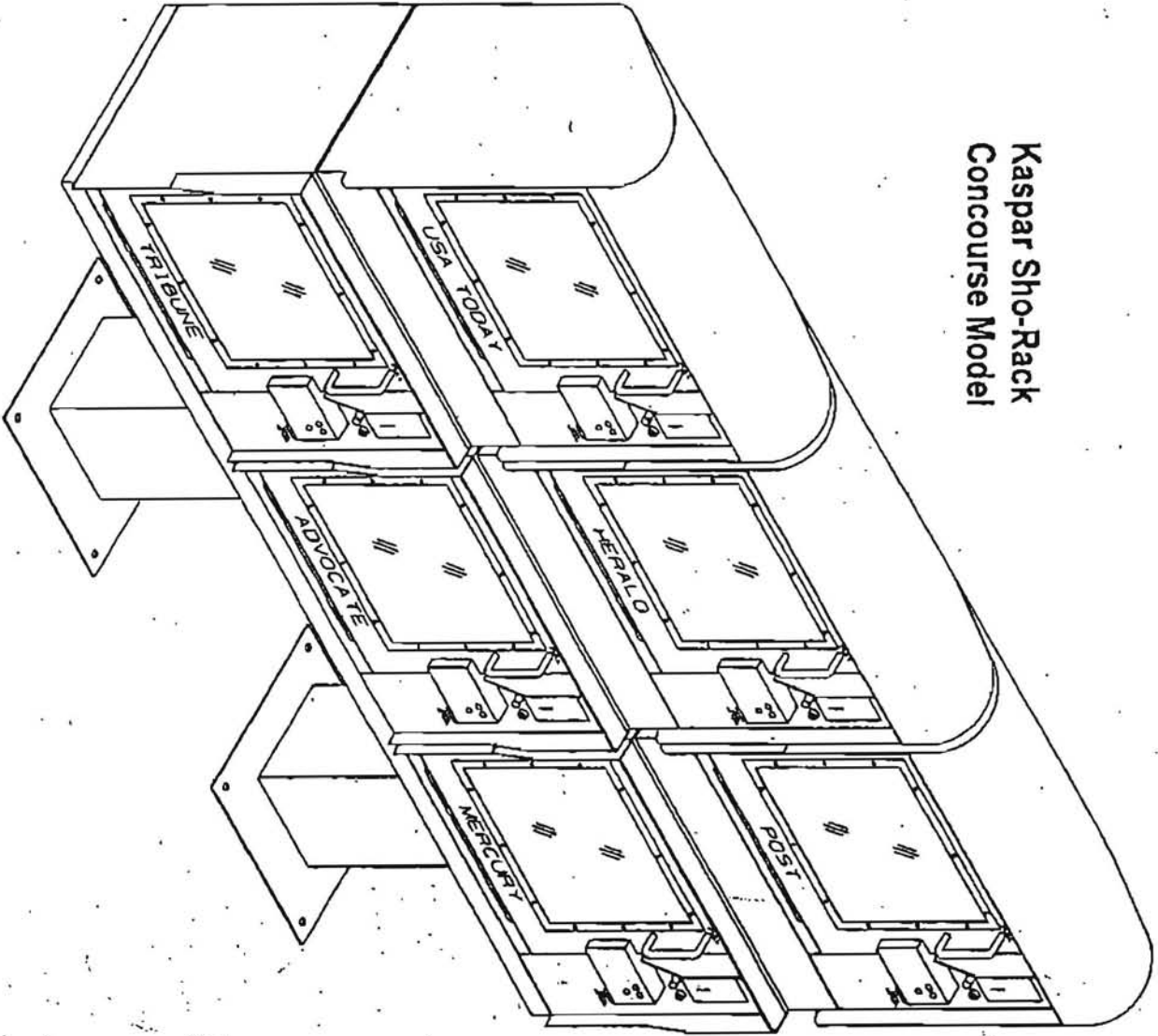
Where can advertisements be placed on the modular units?

Publishers may place their logos or other identifying signage on the front section of its dispensing device in the modular news racks, but in no other location on the sides, rear, or top of the distribution unit. The City of Berwyn will coordinate with the publishers the exact location of each logo.

If I have any questions concerning the application process or the ordinance in general, who should I contact and how?

Please contact the City's Licensing Division at (708) 788-2660 or in person at City Hall, concerning the application process. Please contact the City's Building Director at (708) 788-2660, ext. 3210 or in person at City Hall, concerning the ordinance.

**Kaspar Sho-Rack
Concourse Model**



1	TOP PANEL	1	FRONT PANEL
2	FRONT PANEL	1	FRONT PANEL
3	FRONT PANEL	1	FRONT PANEL
4	FRONT PANEL	1	FRONT PANEL
5	FRONT PANEL	1	FRONT PANEL
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7	FRONT PANEL	1	FRONT PANEL
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13	FRONT PANEL	1	FRONT PANEL
14	FRONT PANEL	1	FRONT PANEL
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19	FRONT PANEL	1	FRONT PANEL
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28	FRONT PANEL	1	FRONT PANEL
29	FRONT PANEL	1	FRONT PANEL
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31	FRONT PANEL	1	FRONT PANEL
32	FRONT PANEL	1	FRONT PANEL
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43	FRONT PANEL	1	FRONT PANEL
44	FRONT PANEL	1	FRONT PANEL
45	FRONT PANEL	1	FRONT PANEL
46	FRONT PANEL	1	FRONT PANEL
47	FRONT PANEL	1	FRONT PANEL
48	FRONT PANEL	1	FRONT PANEL
49	FRONT PANEL	1	FRONT PANEL
50	FRONT PANEL	1	FRONT PANEL

DO NOT SCALE PRINT

KASPAR SHO-RACK, INC.

1 WIDE WALKWAY

10-49, A 10-87

THE CITY OF BERWYN
THE CITY OF BERWYN, ILLINOIS

ORDINANCE

NUMBER _____

**AN ORDINANCE AMENDING PART EIGHT, "BUSINESS
REGULATION AND TAXATION CODE," CHAPTER 859,
"NEWSPAPER VENDING MACHINES," OF THE
CITY OF BERWYN CITY CODE**

ROBERT J. LOVERO, Mayor
THOMAS J. PAVLIK, Clerk
JOSEPH M. KROC, Treasurer

NONA N. CHAPMAN
JEFFREY G. BOYAJIAN
MARGARET PAUL
MICHELE D. SKRYD
CESAR A. SANTOY
THEODORE J. POLASHEK
RAFAEL AVILA
NORA LAURETO

Aldermen

ORDINANCE _____

AN ORDINANCE AMENDING PART EIGHT, "BUSINESS REGULATION AND TAXATION CODE," CHAPTER 859, "NEWSPAPER VENDING MACHINES," OF THE CITY OF BERWYN CITY CODE

WHEREAS, the City of Berwyn (the "City") is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970, and, as such, may exercise any power and perform any function pertaining to its government and affairs in any manner not otherwise limited or prohibited by law; and,

WHEREAS, the public rights-of-way in the City historically have been used to circulate newspapers and other publications; and

WHEREAS, the substantial growth in the number of newspapers and other publications has produced a significant increase in the number of devices dispensing such publications located on public rights-of-way; and

WHEREAS, the City Council has determined that it is necessary and advisable, in the interests of public safety and aesthetics, to regulate the placement of newspaper dispensing devices throughout the City, particularly in districts designated by the City; and

WHEREAS, the unregulated placement of multi-colored, broken, rusted, and abandoned individual newspaper dispensing devices of various shapes and sizes in the public rights-of-way significantly detract from the aesthetic character of surrounding areas; and

WHEREAS, there is a need for reasonable guidelines regarding the installation, placement, size, appearance, and maintenance of newspaper dispensing devices in public rights-of-way; and

WHEREAS, the City desires to promote the health and safety of users of the public rights-of-way and to enhance the aesthetics of the City by placing reasonable restrictions on the installation, placement, size, appearance, and maintenance of newspaper dispensing devices to:

1. provide for pedestrian and vehicular safety and convenience;
2. restrict unreasonable interference with the flow of pedestrian or vehicular traffic, including ingress into and egress from any residence or place of business, or from the street to the sidewalk by persons exiting or entering parked or standing vehicles;
3. provide for the safety of the public and property during windstorms and other inclement weather;
4. replace, remove, or relocate individual newspaper dispensing machines that have created visual blight on the public rights-of-way or have unreasonably detracted from the aesthetics of adjacent businesses, landscaping, and other improvements;
5. maintain and protect the values of surrounding properties;
6. reduce unnecessary exposure of the public to personal injury and property damage.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Berwyn, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1. That the foregoing recitals to this Ordinance are adopted as findings of the Corporate Authorities and are incorporated herein by specific reference.

Section 2. That Part Eight, "Business Regulation and Taxation Code," Chapter 859, "Newspaper Vending Machines," of the Berwyn City Code is hereby deleted in its entirety and is replaced by the following, to be read as follows:

- 859.01 Definitions
- 859.02 Provision of Newspaper Dispensing Devices
- 859.03 Allocation of Newspaper Dispensing Devices
- 859.04 Newspaper Dispensing Device Permit, General
- 859.05 Newspaper Dispensing Device, Application and Permit
- 859.06 Newspaper Dispensing Devices, Conditions
- 859.07 Newspaper Dispensing Device, Enforcement

859.01 DEFINITIONS.

The following words or phrases shall have the meanings set forth:

Abandoned. Any newspaper dispensing device or any compartment of a modular news rack that does not contain the newspaper or publication specified for more than 4 consecutive calendar days for a daily publication, 8 consecutive calendar days for a weekly publication, 16 consecutive calendar days for a biweekly publication, 32 calendar days for a monthly publication, or 64 days for a bi-monthly publication.

Director. The Building Director of the City of Berwyn. The Building Director may designate a representative.

Modular News Rack. A news rack designed with multiple separate enclosed compartments to accommodate at any one time the display, sale, or distribution of multiple distinct and separate newspapers or other publications.

Modular News Rack District. The following areas of the City are hereby designated Modular News Rack Districts: Roosevelt Road from Lombard Avenue to Harlem Avenue; 16th Street from Lombard Avenue to Harlem Avenue; 26th Street from Lombard Avenue to Harlem Avenue;

Cermak Road from Lombard Avenue to Harlem Avenue; Stanley Avenue from the Illinois Central Railroad to Harlem Avenue; Windsor Avenue from the Illinois Central Railroad to Harlem Avenue; Oak Park Avenue from 31st Street to 34th Street; Grove Avenue from 32nd Street to 34th Street; Ogden Avenue from Lombard Avenue to Harlem Avenue. Refer to attached map for precise boundaries of the Districts.

Newspapers and Other Publications. Includes newspapers, periodicals, advertising circulars, and all other printed materials that may be distributed through the use of news racks.

Newspaper-Dispensing Device. Any unmanned, self-service, or coin operated box, container, storage unit or other dispenser located in or upon, or projecting into, or over, any part of the public rights-of-way, and which is installed, used, or maintained for the display, sale, or distribution of newspapers and other publications. The device within a modular news rack that dispenses one newspaper or other publication, including the door, coin return mechanism, and associated hardware.

Public Rights-of-Way. Includes all highways, streets, alleys, sidewalks, parkways, and other real property or easements, which are owned or controlled by the City, including the areas above and below such easements, and which are reserved or used for pedestrian or vehicular traffic.

Publisher. The person or other legal entity selling, displaying, or distributing newspapers or other publications in a news rack.

859.02 PROVISION OF NEWSPAPER DISPENSING DEVICES WITHIN MODULAR NEWS RACK DISTRICTS

The City shall provide approved modular news racks for placement on public rights-of-way in the Modular News Rack Districts.

1. The modular news rack shall be purchased by the City in accordance with specifications approved by the Building Director. Each publication shall pay to the City Licensing Director an annual lease fee of \$25.00 for each dispensing device within the modular news rack it utilizes, and shall be responsible for keeping the news rack and surrounding area in a neat clean condition free of loose newspapers and other debris, and in good repair. The publication shall be responsible for the cost of any repairs or replacement due to damage of any news rack under its control outside of the Modular News Rack Districts.
2. After the initial installation of modular news racks, the total number of dispensing devices in modular news racks in the Modular News Rack Districts may be increased or decreased consistent with the purposes stated in the City Code. Modular news racks shall be placed by the City in locations throughout the Districts which afford easy, convenient service to pedestrians, but which do not obstruct or interfere with access to abutting properties, and which do not impede or endanger pedestrian, vehicular, or bicycle traffic.
3. There shall be no newspaper dispensing device of any type located within the Modular News Rack Districts except as part of a City-approved and City-installed modular news rack. All existing newspaper dispensing devices shall be removed from the public rights-of-way within seven days after placement of the modular news rack. Any device not so removed shall be subject to confiscation by the City's Public Works Department. Any non-conforming news rack placed on City rights-of-way shall be subjected to confiscation as set forth in Section 859.07.

**859.03 ALLOCATION OF MODULAR NEWS RACK DISPENSING DEVICES
WITHIN MODULAR NEWS RACK DISTRICTS**

The City shall ensure that modular news rack dispensing devices are allocated in accordance with the following procedure:

1. Each dispensing device in a modular news rack shall contain copies of only one newspaper or other publication, and have a door that is sized to fit and display such newspaper or other publications.
2. The City shall ensure that there are enough dispensing devices in each modular news rack to accommodate all publishers who initially wish to distribute their newspapers and other publications at that location, up to a maximum of 16 devices per news rack in the Modular News Rack District. If more than 16 publishers wish to distribute newspapers or other publications at that location, then the devices shall be allocated as follows:
 - a. Priority shall be given to publishers who continuously have distributed newspapers or other publications in news racks at that location for more than 12 months before the effective date of this Ordinance, as indicated by the publisher's affidavit provided to the City.
 - b. Among publishers who have priority under this subsection, devices will be allocated first to newspapers and other publications issued at least five calendar days per week; second to newspapers and other publications issued between 2-4 calendar days per week; third to newspapers and other

publications issued once a week; and fourth to newspapers and other publications issued less frequently;

- c. If there are more devices than publishers with priority under this section, then the City shall allocate the remaining devices among publishers who do not have priority, first to newspapers and other publications issued at least five calendar days per week; second to newspapers and other publications issued between 2-4 calendar days per week; third to newspapers and other publications issued once a week; and fourth to newspapers and other publications issued less frequently;
- d. Notwithstanding these requirements, no newspaper or other publication may receive a second space in a modular news rack until all other interested publishers have had the opportunity to have their newspaper or other publication allocated to a device.
- e. Whenever additional devices become available, they shall be allocated in the manner described in this subsection; and,
- f. In the event two or more publishers have equal priority under this subsection, then allocation shall be through a lottery or other random method.

- 3. For initial assignment of news rack space, the City shall notify via certified mail all publishers who currently distribute their newspapers and other publications at each location where the City is installing a modular news rack. Such notification shall at a minimum consist of a copy of the City's application for modular news rack space. On the application, each publisher shall include the number of devices and locations it is seeking. All applications shall be returned to the City's

Licensing Director, who shall ensure that devices are allocated in accordance with the procedures set forth above. Initial applications for news rack space must be received by the Licensing Director within ten (10) business days of the City's notification to all publishers.

4. After the initial assignment of news rack space, any publisher seeking to place its publication within the Modular News Rack District must fill out an application for modular news rack space and submit it to the City's Licensing Director, who shall ensure that devices are allocated in accordance with the procedures set forth above.
5. The opportunity of publishers to have their newspapers and other publications distributed from the modular news rack devices shall not be affected whatsoever by their content, consistent with the First Amendment to the United States Constitution.

859.04 NEWSPAPER DISPENSING DEVICE, GENERAL

1. A newspaper dispensing device permit shall be required to establish, operate, or maintain a newspaper-dispensing device within the City. The annual permit fee shall be \$25.00
2. It shall be unlawful for any person not having a current and valid newspaper dispensing device permit to establish, operate, or maintain a newspaper-dispensing device on public property within the City at any time after the effective date of this Ordinance.

3. It shall be unlawful for any Licensee to establish, operate, or maintain a newspaper-dispensing device on public property within the City except in the manner authorized by, and in compliance with, the provisions of this Ordinance and by the Licensee's newspaper dispensing device permit.
4. Any person found guilty of violating any section of this ordinance shall be penalized as set forth in the City Code.

859.05 NEWSPAPER DISPENSING DEVICE, APPLICATION AND PERMIT, OUTSIDE OF MODULAR NEWS RACK DISTRICTS

1. The City's Licensing Director shall provide applications for permits allowing for the installation and placement of newspaper dispensing devices within the public rights-of-way, along streets, thoroughfares, parkways, and sidewalks within the City. Applications shall be provided by the Licensing Director upon request. Applications must include a site plan and must state the exact location where the applicant would like to utilize a newspaper dispensing device.
2. Within fifteen (15) business days of receipt of an application for a permit under this section, the Licensing Director, or his/her designee, shall review the application and notify the applicant that the application is incomplete, or if the application is complete, shall grant the permit therefore if the proposed placement conforms to the standards set forth in Section 859.06 of this Ordinance.
3. A permit granted hereunder shall be specific to the locations provided for in the permit, and no newspaper-dispensing device shall be reallocated without issuance of a new permit.

4. There shall be no pro ration of any permit for a newspaper dispensing device issued by the Licensing Director.
5. A permit denied by the Licensing Director shall be appealable. The applicant shall have the right to appeal the decision provided that the applicant files a written notice of appeal, including grounds of appeal with ten (10) business days after notice of decision. The City shall set a hearing on the appeal. The City Administrator, or his/her designee, shall have the power of reverse, affirm, or modify the decision of the Licensing Director, considering the standards set forth in this Ordinance. The decision of the City Administrator, or his/her designee, shall be rendered ten (10) business days after the hearing and shall be final.

859.06 NEWSPAPER DISPENSING DEVICES, CONDITIONS, OUTSIDE OF MODULAR NEWS RACK DISTRICTS

No newspaper dispensing device, other than modular news racks, shall be placed within the Modular News Rack Districts. A City permit allowing the placement of privately owned newspaper-dispensing devices outside the Modular News Rack Districts must conform to the following standards:

1. No more than six (6) newspaper dispensing devices may be located at any one intersection.
2. No newspaper dispensing device shall project onto any part of the roadway or public street.
3. No newspaper dispensing device shall be placed in a manner so that its installation, use, or maintenance endangers the safety of persons or property, or

unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic ingress or egress to any residence, business, or legally parked vehicle. At least six (6) feet of continuous, unobstructed, clear space shall be provided for the passage of pedestrians on any sidewalk.

4. No newspaper dispensing device shall be placed in a manner so that it interferes with the use of poles, posts, traffic signs or signals, hydrants, mailboxes or other objects permitted at or near such placement.
5. No newspaper dispensing device shall be placed in a manner so that it interferes with the cleaning of any sidewalk by the use of a mechanical sidewalk cleaning machine.
6. No newspaper dispensing device shall be placed less than 18 inches or more than 24 inches from a curb, or facing the curb line, or adjacent to and less than six (6) inches from the wall of a building.
7. No newspaper dispensing device shall be chained, bolted, or otherwise attached to any property not owned by the owner of the device; to any pole, post, bench, traffic signal, hydrant, mailbox, or other object or structure in the public right-of-way. No more than three (3) newspaper devices may be joined together and a space of not less than 18 inches must separate each group of three news racks from any other newspaper dispensing device or group of newspaper dispensing devices.
8. No newspaper dispensing device shall be placed, installed, used or maintained in any of the following locations:
 - a. Within three (3) feet of a marked crosswalk;

- b. Within fifteen (15) feet of the curb of any unmarked crosswalk;
 - c. Within three (3) feet of a fire hydrant, fire call box, police call box, or other emergency facility;
 - d. Within three (3) feet of any driveway;
 - e. Within three (3) feet ahead of, and fifteen (15) feet to the rear of any sign marking a designated bus stop;
 - f. Within three (3) feet of any bus bench;
 - g. Within three (3) feet of any area improved with lawn, flowers, shrubs, or trees;
 - h. Within three (3) feet of any display window of any building abutting the sidewalk or parkway, or in such a manner as to impede or interfere with the reasonable use of such window for display purposes.
9. No newspaper dispensing device shall be placed within a sight triangle described by the edge of pavement lines of two intersecting streets and a line connecting said edge of pavement lines and any leg of such triangle shall be a maximum of 45 feet in length.
10. No newspaper dispensing device shall be placed on any handicapped access ramp.
11. No newspaper dispensing device shall be used for advertising signs or publicity purposes.
12. Each device shall be maintained in a clean, neat and attractive condition and in good repair at all times.

13. Each device shall be constructed from materials which are weather resistant, and which either have sufficient weight or are weighted to assure the stability of the newspaper dispensing device.
14. All newspaper dispensing devices shall conform to a standard size not to exceed 50 inches in height, 18 inches in depth, and 24 inches in width.

859.07 NEWSPAPER DISPENSING DEVICE, ENFORCEMENT

1. Every publication that places or utilizes a newspaper dispensing device on the streets of the City shall provide a name, mailing address, e-mail address, and telephone number of such publication in a place on the device where it can be readily seen.
2. In addition to fines and penalties established for violations of this Code, if any newspaper dispensing device is installed, used, abandoned, or maintained in violation of the provisions of this Section, the Building Director shall provide written notice to the owner of the newspaper dispensing device, by certified mail, and if the device is not used, removed, or placed so as to be in conformance with this Section, within five (5) business days from the date of such notice, the device may be removed and stored in a convenient place by the City. If the owner of the device is unknown, or if the placement of the device creates a danger to the public, the City may immediately remove it and store it in any convenient place as provided herein. The City shall then take reasonable steps to notify the owner of the newspaper dispensing device. Upon failure of any owner to claim a device which has been removed and stored by the City within fifteen (15) days, and pay

the City's expenses for such removal and storage, such devices shall be deemed to be unclaimed property in possession of the City and may be disposed of pursuant to state law and City ordinances governing the disposition of unclaimed property.

3. In the case of violations of this Section relative to restrictions on location of newspaper dispensing devices, the City may in its sole discretion and as an alternative to removal under subparagraph 2 of this Paragraph move the device so that its location conforms to the requirements of this Section.
4. In the case of repeated violations of this Ordinance, the City may in its sole discretion revoke the permit of any and all permits issued to a publisher.

Section 3. That if any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. That all ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict.

Section 5. That the effective date of this ordinance shall be January 1, 2011. That this Ordinance shall be published in pamphlet form according to law.

Section 6. That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

ADOPTED this ____ day of October, 2010, pursuant to a roll call vote as follows:

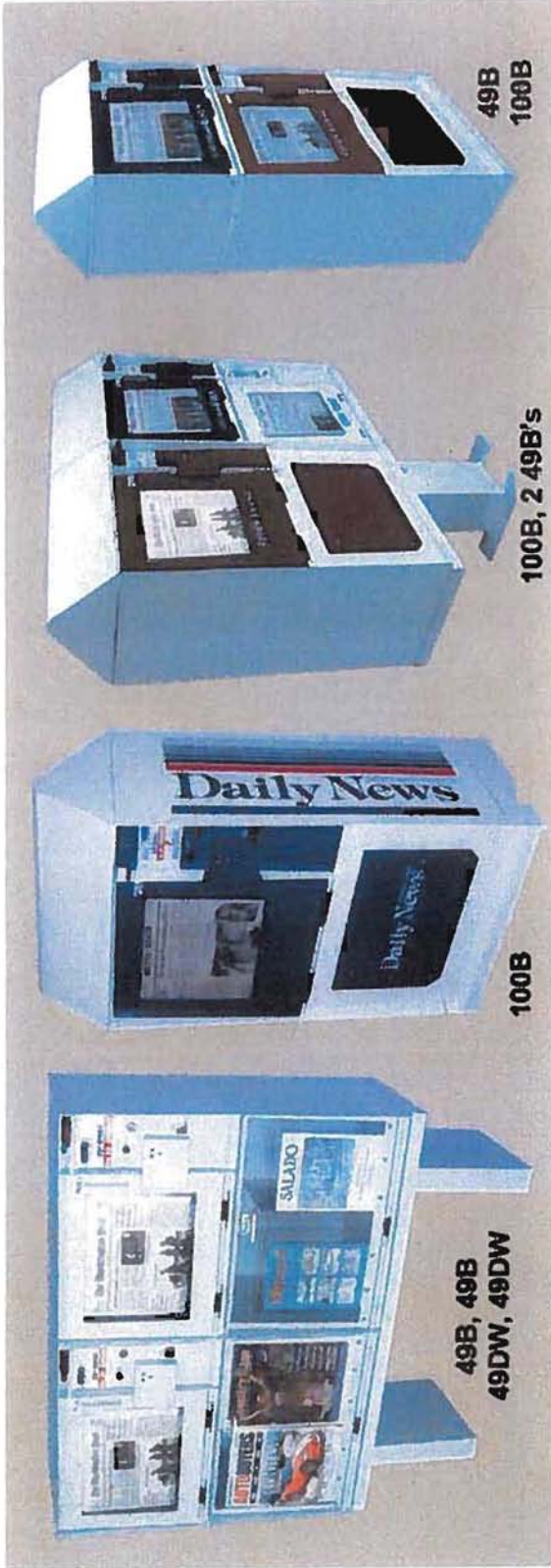
	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
TOTAL				

APPROVED by the Mayor on October _____, 2010.

 Robert J. Lovero
 MAYOR

ATTEST:

 Thomas J. Pavlik
 CITY CLERK



49B, 49B
49DW, 49DW

100B

100B, 2 49B's

49B
100B



**F. Reports and Communications
From The Mayor**

The City of Berwyn



Robert J. Lovero
Mayor

F-1

A Century of Progress with Pride

PROCLAMATION

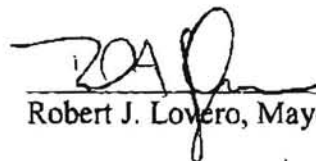
WHEREAS, Robert S. Slackert has delivered mail on the streets of the City of Berwyn for forty (40) years as of October 20, 2010; and

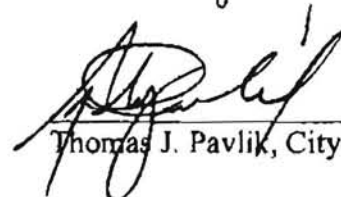
WHEREAS, on October 20, 1970, Bob then twenty-two (22) years old and living at 1218 Elmwood Avenue, started as a mail carrier at the Berwyn Post office; and

WHEREAS, in addition to all the friends he has made along his various delivery routes over the years, his wife of twenty-nine (29) years, Marian, and his son and daughter-in-law, Brian and Sarah, will be joining in the celebration of the dedication Bob has shown in sleet, snow, rain and heat

NOW, THEREFORE, I, Mayor Robert J. Lovero and the City Council of Berwyn recognize Robert S. Slackert for his years of dedication and service to the City of Berwyn and do hereby proclaim October 20, 2010 as Robert S. Slackert Day in Berwyn.


Dated this 12th day of October, 2010.


Robert J. Lovero, Mayor


Thomas J. Pavlik, City Clerk




**G. Reports and Communication From
The City Clerk**



**H. Communications From (Zoning)
Board of Appeals**



**I. Reports and Communications From
Aldermen, Committees other Boards
and Commissions**



The City of Berwyn



Nora Laureto
8th Ward Alderman

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6408 Fax: (708) 788-2675
www.berwyn.il.gov

October 6, 2010

Dear Mayor Lovero and Members of the City Council:

RE: Resident only parking by Prairie Oak School/13th and Oak Park

It has again come to my attention by the residents near Prairie Oak School (14th and Oak Park Ave.) that live on 13th and Oak Park Avenue that they are still having difficulty parking due to the teachers and staff from Prairie Oak School parking on the block. In the past few months we have changed the parking on 14th Street because of this same problem. District #98 has an agreement with St. Mary of Celle School to use their parking lot for teachers/staff to park during the week. This has been in place now for a couple of years. Therefore, I would propose that we place signs stating "Resident Parking Only" on the 1300 block of Oak Park Ave. This signage would still allow residents/parents to park near the school for school events and/or pick up a child during the day if needed. It would also encourage the staff/faculty of Prairie Oak to park in the St. Mary of Celle lot.

Therefore it would be my motion to send this communication to the legal department for drafting of an ordinance to change the parking on the 1300 block of Oak Park Avenue to "Resident Parking Only" and to send this to the Public Works Department upon completion of the ordinance for placement of the signs.

Sincerely,

Nora Laureto
8th Ward Alderman



J. Staff Reports

The City of Berwyn

51



Anthony T. Bertuca
City Attorney

A Century of Progress with Pride

October 12, 2010

Honorable Mayor, Robert J. Lovero
And Members of the Berwyn City Council

Re: Resolution and I - Go Parking Agreement

Ladies and Gentlemen:

I am submitting the attached Resolution for your consideration. The Resolution authorizes the City to enter into the enclosed I - Go Parking Agreement.

This Resolution and Agreement meets with the approval of the Mayor's Office, the Berwyn Development Corporation, the Public Works Director, and the Traffic Engineer.

The Law Department is requesting your concurrence in the approval of the Resolution and Parking Agreement.

Respectfully Submitted,

Anthony T. Bertuca

Anthony T. Bertuca
City Attorney

THE CITY OF BERWYN
COOK COUNTY, ILLINOIS

RESOLUTION
NUMBER

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT
BETWEEN THE CITY OF BERWYN AND I-GO CAR SHARING**

ROBERT J. LOVERO, Mayor

THOMAS J. PAVLIK, City Clerk

NONA N. CHAPMAN

JEFFREY G. BOYAJIAN

MARGARET PAUL

MICHELE D. SKRYD

CESAR A. SANTOY

THEODORE J. POLASHEK

RAFAEL AVILA

NORA LAURETO

Aldermen

RESOLUTION NO.: _____

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF BERWYN AND I-GO CAR SHARING

WHEREAS, the City of Berwyn, Cook County, Illinois (the "*City* ") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "*Home Rule Powers*"); and

WHEREAS, I-GO Car Sharing is a Illinois not-for-profit corporation that has operated car sharing services in the Chicago area since March 2002 in cooperation with the Center for Neighborhood Technology, an organization that has a long history of offering a wide range of programs that achieve environmental goals and help build sustainable communities in the Chicago metropolitan area; and

WHEREAS, I-GO is funded in part by Congestion Mitigation and Air Quality (CMAQ) program funds, which are federal funds administered by the Chicago Area Transportation Study, the metropolitan planning organization for the Chicago region established by the Illinois Department of Transportation; and

WHEREAS, the I-GO Car Sharing program is intended to promote environmental sustainability by reducing the demand for parking as well as reducing congestion and pollution by eliminating car trips and promoting public transportation; and

WHEREAS, the City adopted the Depot Transit Oriented Development (TOD) Preferred Plan in 2008

WHEREAS, it is in the best interest of the health, safety and welfare of the City of Berwyn and its citizenry that the City enters into this agreement with I-Go Car Sharing.

NOW, THEREFORE, BE RESOLVED by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its Home Rule Powers, that the Mayor and the City Clerk are

hereby authorized and directed to enter into the I-Go Parking Agreement. Said Agreement shall be in substantial conformity with the Agreement attached hereto as Exhibit A and made a part hereof: **THIS RESOLUTION** shall be in full force and effect from and after its adoption and approval as provided by law.

Adopted by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this _____ day of _____, 2010, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
TOTAL				

Approved by the Mayor of the City of Berwyn, Cook County, Illinois on this _____ day of _____, 2010.

 Robert J. Lovero
 MAYOR

ATTEST:

 Thomas J. Pavlik
 CITY CLERK

Exhibit A

I-GO PARKING AGREEMENT

THIS PARKING AGREEMENT (“Agreement”) is made and entered on _____ by and between I-GO Car Sharing, an Illinois not-for-profit corporation (hereinafter “I-GO”), with a business address of 2125 W. North Ave, Chicago, Illinois 60647, and the City of Berwyn (hereinafter “Lessor”).

RECITAL:

WHEREAS The City of Berwyn has the right to permit reserved parking at the following Parking Facility: 32nd Street Municipal Lot. As of the Effective Date (as defined below) of this Agreement, Licensor agrees to permit I-GO to use one (1) parking space for reserved parking located in the municipal parking lot name above.

NOW, THEREFORE, in consideration of the mutual agreements and covenants set forth herein, I-GO and Lessor hereby agree as follows:

1. I-GO may purchase one (1) parking space on a reserved basis at the commuter rate of \$395/year in the municipal lot for a minimum of one (1) year commencing _____ and expiring on _____.
2. The parking space shall be reserved and shall to be used solely by I-GO, its members and employees.
3. I-GO, on behalf of itself, its members and its employees, agrees to abide by all rules and regulations now or hereinafter in effect pertaining to use of the Parking Facility for the safety, care and cleanliness of the premises.
4. Insurance. I-GO shall maintain at all times at its sole cost and expense the following insurance to cover its obligations under this Agreement:
 1. Commercial General Liability including but not limited to (i) injury to person, (ii) damage to property, (iii) contractual liability coverage, (iv) personal liability coverage in an amount not less than \$2,000,000 for each occurrence, with umbrella coverage of not less than \$2,000,000.00 and naming the City of Berwyn as well as the Berwyn Development Corporation as additional insured.
 2. Automobile Liability for owned, hired and non-owned vehicles in an amount of not less than \$2,000,000 for each accident and naming the City of Berwyn and the Berwyn Development Corporation as additional insured.

This insurance shall be issued by one or more insurance carriers authorized to do business in the state where services are rendered. I-GO shall provide Licensor with a Certificate of Insurance which shall indicate all insurance coverage required by the provisions herein and that Licensor will be provided with thirty (30) days' written notice prior to substantial modification or cancellation of such policy.

5. I-GO vehicles in this Parking Facility park at I-GO's own risk except instances of willful neglect or vandalism by Licensor, its employees or directors. Licensor is not responsible for fire, theft,

vandalism, damage or loss of vehicle or its component parts or personal property therein. No verbal agreements shall affect the conditions of this Parking Agreement, and no employee can change the terms of this Parking Agreement without a written amendment executed by I-GO and an authorized employee of Lessor.

6. The City of Berwyn shall approve any and all signage prior to installation
7. The City of Berwyn shall be responsible for installation of signage in designated parking spaces. Upon termination or expiration of this agreement, I-GO shall return the space to its previous condition, normal wear and tear excepted.
8. Excluding emergency services, in the event that the need arises for Parking Facility repairs or maintenance (such as striping or resurfacing) which requires Vehicles to be moved, Licensor shall give the I-GO at least fifteen (15) days prior written notice to inform I-GO of the date and anticipated duration of the planned repairs or maintenance. Licensor will provide a mutually agreeable alternative parking location for the duration of planned repairs or maintenance. All terms and conditions herein apply to the alternative parking space.
9. In the event of an emergency, Licensor must make every possible attempt to contact I-GO before moving any I-GO car or making any changes to this agreement. I-GO reserves the right to seek compensation for towing or other unauthorized expenses incurred as a result of Licensor failing to adequately notify I-GO of emergency services.
10. Subject to survival provisions herein, this Agreement shall be immediately terminated in the event that I-GO discontinues service to its members. In the event of termination as provided in the foregoing sentence, I-GO agrees that it is responsible for removal of signage and shall return the Parking Facility to its original condition, normal wear and tear excepted.
11. This Parking Agreement shall be interpreted in accordance with the laws of the State of Illinois and the County of Cook where applicable.
12. All covenants, conditions and indemnifications contained in this Agreement which may involve performance subsequent to any termination of this Agreement, or which cannot be ascertained or fully performed until after termination of this Agreement, shall survive.
13. This Parking Agreement contains the entire agreement between the parties, and supersedes prior documentary or oral understanding between them. This Agreement may not be amended except in writing signed by authorized representatives of both parties with such writing referring specifically to this Parking Agreement.

IN WITNESS WHEREOF, the parties hereto execute this Parking Agreement as of this _____.

Corporation: I-GO

Lessor: City of Berwyn

By _____

By _____

Name: Sharon Feigon

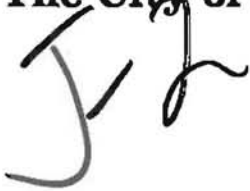
Name: Robert J. Lovero

Title: C.E.O.

Title: Mayor, City of Berwyn

Taxpayer I.D. No. 362967283

The City of Berwyn



Anthony T. Bertuca
City Attorney

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567
www.berwyn-il.gov

October 12, 2010

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

Re: 09L1001

Dear Mr. Pavlik:

Please put this item on the October 12, 2010 agenda authorizing the settlement of the above referenced matter for the total of \$5,000.00, based upon City Council authority granted in Executive Session.

Very truly yours,



Anthony T. Bertuca

City Attorney

The City of Berwyn



**Anthony T. Bertuca
City Attorney**

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567
www.berwyn-il.gov

October 12, 2010

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


Re: 10WC1452

Dear Mr. Pavlik:

Please put this item on the October 12, 2010 agenda authorizing the settlement of the above referenced matter for the total of \$19,000.00, based upon City Council authority granted in Executive Session.

Very truly yours,

Anthony T. Bertuca
City Attorney

The City of Berwyn




John Wysocki
Finance Director

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 (708) 788-0273
www.berwyn-il.gov

Date: October 8, 2010

To: Mayor Lovero and the City Council

From: John Wysocki 

Subject: Bond Ordinance

Attached is an ordinance providing for the issuance of \$10 million of general obligation bonds. This is the continuation of the bond refunding that we have been undertaking over the last several years the purpose of which includes:

1. evening out our debt service payments,
2. building a fund balance in the general fund and
3. addressing the deficit balance in the internal service fund.

This issue also includes \$2.1 million of "new money" which will be used for paying a portion of the City's share of the Roosevelt Road project costs and a water fund project.

Our financial advisor, Dan Denys, and I will be at the Committee of the Whole meeting on October 12 to further explain the bond issue and to answer any of your questions. After that, we request that you approve the attached ordinance. Thank you.

ORDINANCE NO. _____

AN ORDINANCE providing for the issuance of General Obligation Bonds of the City of Berwyn, Cook County, Illinois, in the aggregate principal amount not to exceed \$10,000,000 for the purpose of refunding a portion of the City's outstanding bonds and paying for the costs of certain capital projects including water projects and other economic development projects and costs related thereto and to the issuance of such bonds and for the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds.

WHEREAS, the City of Berwyn, Cook County, Illinois (the "City"), is a home rule municipality and body politic of the State of Illinois, duly created, organized and existing under the Illinois Municipal Code (the "Municipal Code"), and having the powers, objects and purposes provided by said Code; and

WHEREAS, pursuant to the provisions of Sections 6(d) and 6(k) of Article VII of the Constitution of the State of Illinois (the "Constitution"), a home rule unit may incur debt payable from ad valorem property tax receipts maturing not more than 40 years from the time it is incurred and without referendum approval thereof; and

WHEREAS, the City has outstanding certain obligations designated as its General Obligation Corporate Purpose Bonds, Series 2001 (the "Series 2001 Bonds"); General Obligation Corporate Purpose Bonds, Series 2002A (the "Series 2002A Bonds"); General Obligation Corporate Purpose Bonds, Series 2002B (the "Series 2002B Bonds"); General Obligation Refunding Bonds, Series 2004 (the "Series 2004 Bonds"); General Obligation Bonds, Series 2007A (the "Series 2007A Bonds"); General Obligation Bonds, Series 2008 (the "Series 2008 Bonds") and its General Obligation Bonds, Series 2009 (the "Series 2009 Bonds") (the "Prior General Obligation Bonds"), a \$1,000,000 line of credit with Citizens Bank which was used to make interest payments on certain of the Prior Bonds on June 1, 2010 (the "Line of Credit" and together with the Prior General Obligation Bonds, the "Prior Bonds"); and

WHEREAS, pursuant to the Constitution and Local Government Debt Reform Act 30 ILCS 3501, et.seq. (the "Debt Reform Act"), the City may issue its refunding bonds to refund all or a portion of the Prior Bonds including interest (the portion to be refunded by this issue, known as the "Refunded Bonds") consisting of any or all of the following bonds as provided in the Bond Order:

<u>Series 2001 Bonds</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	\$105,000

<u>Series 2002A Bonds</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	\$395,000

<u>Series 2002B Bonds</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	\$45,000

<u>Series 2004 Bonds</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	\$4,480,000

<u>Series 2007A Bonds</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	Interest Only

<u>Series 2008 Bonds</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	Interest Only

<u>Series 2009 Bonds (Oct.)</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	Interest Only

<u>Series 2009 Bonds (Dec.)</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	Interest Only

<u>Line of Credit</u>	
<u>Maturity Date</u>	<u>Amount to be Refunded</u>
December 1, 2010	\$1,000,000

WHEREAS, the City Council of the City (the "Council") has determined that it is advisable, necessary and in the best interests of the City to issue its bonds (i) to refund the Refunded Bonds (the "Refunding"), (ii) to pay the cost of certain capital projects including water projects and other economic development projects (the "New Money Project") and (iii) to pay the cost of issuance of the Bonds (as hereinafter defined); and

WHEREAS, there are insufficient funds on hand and lawfully available to pay the estimated costs of the Refunding and the New Money Project, including legal, financial, bond discount, printing and publication costs, and other expenses (collectively, the "Costs"); and

WHEREAS, the issuance of bonds is exempt from the requirements of the Bond Issue Notification Act; and

WHEREAS, the bonds to be issued will be payable from the unlimited ad valorem property taxes levied within the City; and

WHEREAS, the Council is now authorized to issue bonds in the aggregate issued amount not to exceed \$10,000,000 in accordance with the provisions of the Code and Debt Reform Act, and the Council hereby determines that it is necessary and desirable that there be issued at this time not to exceed \$10,000,000 in issued amount of the bonds so authorized;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation of Preambles. The Council hereby finds that all of the recitals contained in the preambles to this ordinance are full, true and correct and does incorporate them into this ordinance by this reference.

Section 2. Authorization. It is hereby found and determined that the Council has been authorized by the provisions of the Constitution and Debt Reform Act to issue bonds of the City

in the aggregate issued amount not to exceed \$10,000,000 for the purpose of paying a portion of the costs of the Refunding and the New Money Project, and such borrowing of money is necessary for the welfare of the government and affairs of the City, is a proper public purpose and is in the public interest.

Section 3. Bond Details. There shall be borrowed on the credit of and for and on behalf of the City, the sum not to exceed \$10,000,000 for the purpose aforesaid and that the City shall issue in the name of the City its "General Obligation Bonds Series 2010A" (the "Bonds") pursuant to the Debt Reform Act in the amount not to exceed \$10,000,000 for the purpose of the payment of the costs of the Refunding, the New Money Project and the payment of costs of issuance.

The Bonds shall be issued in one or more series, in amounts of \$5,000 or any integral multiple thereof, shall be numbered consecutively from R-1 up and shall be dated the date, and paying interest as set forth in the Bond Order to be filed in connection with the sale of the Bonds (the "Bond Order"). The Bonds shall be payable in lawful money of the United States of America, at the principal office of the Paying Agent (as hereinafter defined). Such Bonds shall mature on and bear interest at the rates per annum not to exceed 7% (computed on the basis of a 360-day year of twelve 30-day months) all as provided in the Bond Order.

Section 4. Registrar and Paying Agent. The City Treasurer is hereby appointed to serve as Registrar and Paying Agent for the Bonds (the "Registrar" or "Paying Agent"). The Registrar is hereby charged with the responsibility of authenticating the Bonds.

The Bonds shall be payable at the principal office of the Paying Agent. If the payment date occurs on a date when financial institutions are not open for business, the payment shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer

payments by 1:00 p.m. (New York City time) so such payments are received by the registered owner by 2:30 p.m. (New York City time). All payments on the Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment shall be legal tender for the payment of public and private debts.

Each Bond shall be transferable or exchangeable only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered owner in person, or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The Registrar shall not be required to transfer or exchange any Bond during the fifteen (15) days prior to a principal payment date and ending on such principal payment date. The costs of such transfer or exchange shall be borne by the City except for any tax or governmental charge required to be paid with respect to the transfer or exchange, which taxes or governmental charges are payable by the person requesting such transfer or exchange. The City, Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the Maturity Amount.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent upon giving 30 days' notice in writing to the City and by first class mail to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such 30 day period or upon the earlier appointment of a successor registrar and paying agent by the City.

Any such notice to the City may be served personally or sent by registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the City, in which event the City may appoint a successor registrar and paying agent. The City shall notify each registered owner of the Bonds then outstanding by first class mail of the removal of the Registrar and Paying Agent. Notices to the registered owners of the Bonds shall be deemed to be given when mailed by first class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar.

Upon the appointment of any successor registrar and paying agent by the City, the Mayor or the Treasurer are authorized and directed to enter into such agreements and understandings with such successor registrar and paying agent as will enable the institution to perform the services required of a registrar and paying agent for the Bonds. The Mayor and Treasurer are further authorized to pay such fees as the successor registrar and paying agent may charge for the services it provides as registrar and paying agent.

Any predecessor registrar and paying agent shall deliver all of the Bonds and any cash or investments in its possession with respect thereto, together with the registration books, to the successor registrar and paying agent.

The Registrar shall cause said Bonds to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Bonds printed until it shall have received from the City indemnification for all costs and expenses associated with such printing.

In connection with any notice or other communication to be provided to bondholders by the City or the Registrar with respect to any consent or other action to be taken by bondholders, the City or the Registrar, as the case may be, shall establish a record date for such consent or

other action and give the bondholders notice of such record date not less than fifteen (15) calendar days in advance of such record date to the extent possible.

The City has determined that it may be beneficial to the City to have the Bonds held by a central depository system pursuant to an agreement between the City and The Depository Trust Company, New York, New York ("Depository Trust Company") and have transfers of the Bonds effected by book-entry on the books of the central depository system ("Book Entry System"). The Bonds may be initially issued in the form of a separate single authenticated fully registered Bond for the aggregate principal amount of each separate maturity of the Bonds. In such case, upon initial issuance, the ownership of such Bonds shall be registered in the register kept by the Registrar in the name of Cede & Co., as nominee of the Depository Trust Company.

With respect to the Bonds registered in the register kept by the Registrar in the name of Cede & Co., as nominee of the Depository Trust Company, the City and the Paying Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner ("Beneficial Owner")) of the Bonds with respect to (i) the accuracy of the records of the Depository Trust Company, Cede & Co., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Bonds including any notice of redemption, or (iii) the payment to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Bonds except as otherwise provided herein.

No person other than the Depository Trust Company shall receive an authenticated Bond evidencing an obligation of the City to make payments of the principal of and premium, if any,

and interest on the Bonds pursuant to this ordinance. The City and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or Cede & Co. to be the absolute bondholder of each of the Bonds for the purpose of (i) payment of the principal of and premium, if any, and interest on such Bonds; (ii) giving notices of redemption and other notices permitted to be given to bondholders with respect to such Bonds; (iii) registering transfers with respect to such Bonds; (iv) obtaining any consent or other action required or permitted to be taken of or by bondholders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the City's and the Paying Agent's obligations with respect to principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. Upon delivery by the Depository Trust Company to the City of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions herein with respect to consents, the words "Cede & Co." in this ordinance shall refer to such new nominee of the Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of the Depository Trust Company, all payments with respect to the principal of and premium, if any, and interest on such Bonds and all notices with respect to such Bonds shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the City to the Depository Trust Company.

Upon receipt by the City of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company

hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Bonds shall no longer be restricted to being registered in the register of the City kept by the Registrar in the name of Cede & Co., as nominee of the Depository Trust Company, but may be registered in whatever name or names the bondholders transferring or exchanging the Bonds shall designate, in accordance with the provisions of this ordinance.

If the City determines that it is in the best interest of the bondholders that they be able to obtain Bonds for the fully registered Bonds, the City may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository Trust Company of Bonds for the Bonds. In such event, the Registrar shall prepare, authenticate, transfer and exchange Bonds for the Bonds as requested by the Depository Trust Company and any Beneficial Owners in appropriate amounts, and whenever the Depository Trust Company requests the City and the Registrar to do so, the Registrar and the City will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice (i) to make available one or more separate Bonds evidencing the fully registered Bonds of any Beneficial Owner's Depository Trust Company account or (ii) to arrange for another securities depository to maintain custody of Bonds for and evidencing the Bonds.

If the Bonds shall no longer be restricted to being registered in the name of the Depository Trust Company, the Registrar shall cause said Bonds to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Bonds printed until it shall have received from the City indemnification for all costs and expenses associated with such printing.

Section 5. Redemption. Bonds maturing on or after a date specified in the Bond Order are subject to redemption prior to maturity at the option of the City as stated in the Bond Order.

Section 6. General Obligations. The full faith and credit of the City are hereby irrevocably pledged to the punctual payment when due of the Bonds. The Bonds shall be direct and general obligations of the City shall be obligated to levy ad valorem taxes upon all the taxable property in the City for the payment of the Bonds according to their terms, without limitation as to rate or amount.

Section 7. Form of Bond. The Bonds shall be in substantially the following form:

(Form of Bond)

REGISTERED
NO. _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTY OF COOK

CITY OF BERWYN

GENERAL OBLIGATION BONDS, SERIES 2010A

<u>Rate of Interest</u>	<u>Maturity Amount</u>	<u>Maturity Date</u>	<u>Original Date</u>
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REGISTERED OWNER: CEDE & CO.

MATURITY AMOUNT:

CUSIP: _____

The City of Berwyn, Cook County, Illinois (the "City"), for value received, hereby promises to pay to the Registered Owner (named above) or registered assigns, the Maturity Amount set forth above on the Maturity Date set forth above. Interest on the Bonds shall be paid at the interest rate set forth above, semiannually on each December 1 and June 1 commencing _____, 20___. Interest shall accrete on the basis of a 360-day year consisting of twelve 30-day months.

Principal and Interest is payable by check upon presentation at the office of The City Treasurer, City of Berwyn, as Bond Registrar and Paying Agent (the "Bond Registrar"), or by wire transfer of immediately available funds to owners who present the bonds to the Bond Registrar at least two business days prior to the payment date. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Bond Registrar shall wire transfer payments by 1:00 p.m. (New York City time) so such payments are received by the owner by 2:30 p.m. (New York City time).

This bond is one of an authorized issue of bonds of the City, all of like date, tenor and effect (except as to numbering, denomination, interest rate and date of maturity), in the aggregate amount of \$ _____ (the "Bonds") issued under and in accordance with, the Bond Ordinance adopted by the Council on the 12th day of October 2010 (the "Ordinance") and a Bond Order executed by the Mayor on the ____ day of _____, 2010.

The Bonds of this issue are subject to redemption prior to maturity as set forth in the Ordinance.

This bond is a general obligation bond of the City payable from ad valorem taxes levied against all of the taxable property in the City without limitation as to rate or amount (the "Pledged Taxes"), all in accordance with the provisions of the Local Government Debt Reform Act, 30 ILCS 350/1 et seq. (the "Act"). The full faith, credit and resources of the City are pledged to the punctual payment of the Bonds. This bond is negotiable, subject to registration provisions, pursuant to the laws of the State of Illinois.

This bond is transferable by the Registered Owner hereof at the office of the Treasurer, upon surrender and cancellation of this bond and on presentation of a duly executed written instrument of transfer and thereupon a new bond or bonds of the same maturity and in authorized denominations will be issued to the transferee or transferees in exchange therefor. This bond may be exchanged upon surrender hereof at the office of the Bond Registrar, duly endorsed by the owner for the same aggregate principal amount of bonds of the same maturity in authorized denominations as the owner may request.

The City and the Bond Registrar may deem and treat the person in whose name this bond is registered as the absolute owner hereof.

This bond shall not be a valid obligation until duly authenticated by the Bond Registrar, or its successors, by the execution of the certificate endorsed hereon. The owner of this bond shall have no recourse for its payment against present or future members, officers or directors of the City, and such recourse is, by the acceptance of this bond, expressly waived.

IN WITNESS WHEREOF, the CITY OF BERWYN has caused this bond to be executed in its name and on its behalf by the facsimile signature of its Mayor, and its corporate seal to be hereunto affixed and attested by the facsimile signature of its City Clerk, all as of the Original Date set forth above.

**CITY OF BERWYN, COOK COUNTY,
ILLINOIS**

By: _____
Its: Mayor

Attest:

By: _____
Its: City Clerk

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned Ordinance.

City Treasurer,
City of Berwyn,
Registrar and Paying Agent

By: _____
Its: City Treasurer

Date of Authentication: _____

[End of Form of Bond]

Section 8. Sale of Bonds. The Treasurer is hereby authorized and directed to have the Bonds prepared, and the Mayor and the City Clerk are hereby authorized and directed to execute and attest the Bonds in the form and manner provided herein. The Treasurer is hereby authorized and directed to deliver the Bonds to George K. Baum & Company, Chicago, Illinois or such other purchaser (the "Purchaser"). The Treasurer is hereby authorized and directed to deliver the Bonds to the purchaser as identified in the Bond Order (the "Purchaser"). Authority is hereby delegated to the Mayor and the Treasurer to sell all, but not less than all, of the Bonds to the Purchaser at a purchase price of not less than 97% of par. The sale of the Bonds shall be evidenced by a Bond Order which shall be signed by the Mayor or Treasurer. The Mayor and the City Clerk are authorized and directed to execute a bond purchase agreement in connection with the sale of the Bonds, in the name of and on behalf of the City. The bond purchase agreement shall be substantially in the form of purchase agreements commonly used in transactions similar to that described in this Ordinance, with such changes as necessary to reflect the terms and provisions of the Bonds, this Ordinance and such other changes as the Mayor or

Treasurer shall determine are necessary or desirable in connection with the sale of the Bonds, including whether to purchase bond insurance and the related terms.

No person holding any office of the City either by election or appointment, is in any manner interested, either directly or indirectly, in his or her own name or in the name of any other person, association, trust, company or corporation, in said purchase of the Bonds.

The Bonds when fully paid for and delivered to the Purchaser, shall be the binding general obligations of the City. The proper officers of the City are hereby directed to sell the Bonds to the Purchaser and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.

Distribution of the Preliminary Official Statement by the Purchaser for its bonds, as prepared by Austin Meade Financial Ltd., is hereby ratified and distribution of the Purchaser's final Official Statement (the "Official Statement") containing information about the City, is hereby approved.

Section 9. Tax Levy. In order to provide for the collection of a direct annual tax sufficient to pay the principal and interest on the Bonds, there be and there is hereby levied upon all the taxable property within the City, in addition to all other taxes, in the years for which any of the Bonds are outstanding, direct annual taxes as provided in the Bond Order.

The City covenants and agrees with the purchasers and the holders of the Bonds that so long as any of the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax levy and the City and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended and collected as provided herein and deposited in the Bond Fund.

The funds derived from the tax levy be and the same are hereby appropriated and set aside for the sole and only purpose of paying the principal and interest of said Bonds when and as the same become due. The funds from the sale of said Bonds be and they are hereby appropriated and set aside for the Refunding, the New Money Project and payment of costs of issuance.

Section 10. Filing of Ordinance. Forthwith upon the passage of this ordinance, the City Clerk is hereby directed to file a certified copy of this ordinance with the County Clerk of Cook County, Illinois. It shall be the duty of said County Clerk to annually in and for each of the levy years as provided in the Bond Order, ascertain the rate necessary to produce the tax herein levied, and to extend the same for collection on the tax books against all of the taxable property within the City in connection with other taxes levied in each of said years for general corporate purposes, in order to raise the respective amounts aforesaid and in each of said years such annual tax shall be computed, extended and collected in the same manner as now hereafter provided by law for the computation, extension and collection of taxes for general corporate purposes of the City, and when collected, the taxes hereby levied shall be placed to the credit of the Bond Fund created pursuant to Section 12 of this ordinance.

Section 11. Use of Bond Proceeds. The principal proceeds of the Bonds, including any premiums, are hereby appropriated for the purpose of paying the costs of the Refunding and the New Money Project, and are hereby ordered deposited into the Refunding Fund of the City created pursuant to Section 12 of this ordinance (the "Refunding Fund"). The Refunded Bonds shall be refunded at the earliest possible date. Remaining proceeds shall be used to pay costs of issuance.

Section 12. Creation of Funds and Accounts. (a) Bond Fund. There is hereby created the "Bond and Interest Fund of 2010A" (the "Bond Fund"), which shall be the fund for the payment of the Bonds. Collections of taxes herein levied in Section 10 of this ordinance shall be deposited into the Bond Fund as required by such Section and shall be used solely and only for the payment the Bonds when due. All amounts on deposit in the Bond Fund are hereby irrevocably pledged to and shall be used only for the purpose of paying the Bonds.

(b) Refunding Fund. There is hereby established a special fund of the City known as the "Refunding Fund" to be held by the Treasurer. There shall be deposited in the Refunding Fund proceeds of the Bonds sufficient to refund the Refunded Bonds. The Refunding Fund shall be maintained separate and apart from all other accounts of the City and shall be used to pay costs of issuance and pay the costs of refunding a portion of the Prior Bonds.

Section 13. Project Fund. There is hereby created and established a special fund of the City known as the "Project Fund, Series 2010A" (the "Project Fund") to be held by the Treasurer. Proceeds of the Bonds shall be deposited in the Project Fund, and the Project Fund shall be used for the purpose of paying for the costs of the New Money Project, and costs of issuance. For the purpose of paying first interest due on the Bonds, an amount necessary for that purpose may be loaned from the Project Fund to the Bond Fund. Said amount shall be reimbursed to the Project Fund from the Bond Fund as Pledged Revenues and/or Pledged Taxes are received and available therefor. Additional loans from the Project Fund to the Bond Fund to pay debt service on the Bonds may be made upon further direction by the Council so long as provision is made to reimburse the Project Fund with Pledged Revenues and/or Pledged Taxes.

Interest received from deposits in the Project Fund shall, at the discretion of the Council, either be transferred for the payment of the principal of and interest on the Bonds on the interest payment date next after such interest is received or be retained in the Project Fund.

(a) In the event that any moneys remain in the Project Fund upon completion of the New Money Project, the City shall deposit the remaining moneys in the Project Fund in the Bond Fund and shall cause such moneys to be used to pay the interest on the Bonds on the earliest possible date.

Section 14. Defeasance and Payment of Bonds. (A) If the City shall pay or cause to be paid to the registered owners of the Bonds, the Bonds due or to become due thereon, at the times and in the manner stipulated therein and in this ordinance, then the pledge of taxes, securities and funds hereby pledged and the covenants, agreements and other obligations of the City to the registered owners and the beneficial owners of the Bonds shall be discharged and satisfied.

(B) Any Bonds, whether at or prior to the maturity or the redemption date of such Bonds, shall be deemed to have been paid within the meaning of paragraph (A) of this Section (1) in case any such Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such Bonds for redemption and notice of such redemption shall have been duly given or provision shall have been made for the giving of such notice, and (2) there shall have been deposited in trust with a bank, trust company or national banking association acting as fiduciary for such purpose either (i) moneys in an amount which shall be sufficient, or (ii) "Federal Obligations" as defined in paragraph (C) of this Section, the principal of and the interest on which when due will provide moneys which, together with any moneys on deposit with such fiduciary at the same time for such purpose, shall be sufficient, to pay when

due the Maturity Amount due on said Bonds on and prior to the applicable redemption date or maturity date hereof.

(C) As used in this Section, the term "Federal Obligations" means (i) non-callable, direct obligations of the United States of America, (ii) non-callable and non-prepayable, direct obligations of any agency of the United States of America, which are unconditionally guaranteed by the United States of America as to full and timely payment of principal and interest, (iii) non-callable, non-prepayable coupons or interest installments from the securities described in clause (i) or clause (ii) of this paragraph, which are stripped pursuant to programs of the Department of the Treasury of the United States of America, or (iv) coupons or interest installments stripped from bonds of the Resolution Funding Corporation.

Section 15. Continuing Disclosure. A Continuing Disclosure Undertaking (the "Undertaking") in substantially the form presented to the meeting is hereby approved, and the Mayor and the City Clerk are hereby authorized and directed to execute and attest the same on behalf of the City. Notwithstanding any other provisions of this ordinance, failure of the City to comply with the Undertaking shall not be considered an event of default under the Bonds or this ordinance.

Section 16. Tax Covenants. In order to preserve the exclusion of interest on the Bonds from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as existing on the date of issuance of the Bonds (the "IRS Code") and as an inducement to purchasers of the Bonds, the Council represents, covenants and agrees that:

(a) The facilities financed with the Refunded Bonds are available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity, other than the City or another state or local

governmental unit, will use more than 10% of the proceeds of the Refunded Bonds or property financed by the Refunded Bond proceeds other than as a member of the general public. No person or entity other than the City or another state or local governmental unit own property financed by Refunded Bond proceeds or have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as a take-or-pay or output contract or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from the use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Bonds.

(b) No more than 10% of the payment of the Bonds will be (under the terms of the Bonds, this ordinance or any underlying arrangement), directly or indirectly, (i) secured by any interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments (whether or not to the City) in respect of such property or borrowed money used or to be used for a private business use.

(c) None of the Bond proceeds will be loaned to any entity or person other than a state or local governmental unit. None of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(d) The City reasonably expects, as of the date hereof, that it will comply with the covenants described in paragraph (a), (b) and (c) above during the entire term of the Bonds.

(e) None of the proceeds of the Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue

(Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The City will not take any action nor fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes of interest on the Bonds pursuant to Section 103 of the IRS Code, nor will the City act in any other manner which would adversely affect such exclusion, and it will not make any investment or do any other act or thing during the period that the Bonds are outstanding which would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the IRS Code.

(g) It shall be not an event of default under this ordinance if the interest on any Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the IRS Code which is not currently in effect and in existence on the date of issuance of the Bonds.

(h) These covenants are based solely on current law in effect and in existence of the date of delivery of the Bonds. The City hereby designates the Bonds are qualified tax-exempt obligations for purposes of Section 265(b) of the IRS Code.

The City hereby authorizes the officials of the City responsible for issuing the Bonds, the same being the Mayor, the City Clerk and the Treasurer of the City, to make such further covenants and certifications as may be necessary to assure that the use thereof will not cause the Bonds to be arbitrage bonds and to assure that the interest on the Bonds will be excludable from gross income for federal income tax purposes. In connection therewith, the City further agrees: (a) through its officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Bonds and to comply with such advice as may be given; (c) to pay to the United States, as

necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds as required pursuant to Section 148 of the IRS Code and the regulations promulgated thereunder; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 17. Registered Form. The City recognizes that Section 149(a) of the IRS Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon is exempt from federal income taxation under laws in force at the time the Bonds are delivered. In this connection, the City agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 18. List of Bondholders. The Bond Registrar shall maintain a list of the names and addresses of the holders of all Bonds and upon any transfer shall add the name and address of the new Bondholder and eliminate the name and address of the transferor Bondholder.

Section 19. Duties of Bond Registrar. If requested by the Bond Registrar, the Mayor and City Clerk are authorized to execute the Bond Registrar's standard form of agreement between the City and the Bond Registrar with respect to the obligations and duties of the Bond Registrar hereunder which may include the following:

- (a) to act as bond registrar, authenticating agent, paying agent and transfer agent as provided herein;
- (b) to maintain a list of Bondholders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential;
- (c) to give notice of redemption of any Bonds;

- (d) to cancel and/or destroy Bonds which have been paid at maturity or upon redemption or submitted for exchange or transfer;
- (e) to furnish the City at least annually a certificate with respect to Bonds canceled and/or destroyed; and
- (f) to furnish the City at least annually an audit confirmation of bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

Section 20. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 21. Ordinance to Constitute a Contract. The provisions of this ordinance shall constitute a contract between the City and the registered owners of the Bonds. Any pledge made in this ordinance, and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the City, shall be for the equal benefit, protection and security of the registered owners of any and all of the Bonds.

Section 22. Repeal. All ordinances, resolutions or parts thereof in conflict herewith be and the same are hereby repealed and this ordinance shall be in full force and effect forthwith upon its adoption.

ADOPTED this 12th day of October, 2010 by a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

**CITY OF BERWYN, COOK COUNTY,
ILLINOIS**

By: _____
Its: Mayor

APPROVED this 12th day of October, 2010.

Attest:

By: _____
Its: City Clerk

Alderman _____ moved and Alderman _____ seconded the motion that said ordinance as presented by the City Clerk be adopted.

After a full discussion thereof, the Mayor directed that the roll be called for a vote upon the motion to adopt said ordinance as presented.

Upon the roll being called, the following Aldermen voted AYE: _____

_____.

and the following Aldermen voted NAY: _____.

Whereupon the Mayor declared the motion carried and said ordinance adopted, approved and signed the same in open meeting and directed the City Clerk to record the same in full in the records of the City Council of the City of Berwyn, Cook County, Illinois, which was done.

Other business not pertinent to the adoption of said ordinance was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

City Clerk

5-5

The City of Berwyn



John Wysocki
Finance Director

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 (708) 788-0273
www.berwyn-il.gov

To: Mayor Robert J. Lovero and City Council

From: John Wysocki *John Wysocki*

Subject: Inclusion of Cafeteria Plan Compensation in IMRF Earnings

Date: October 8, 2010

At the August 10, 2010 City Council meeting, the City of Berwyn Cafeteria Plan was adopted for the purpose of allowing for the employee's share of health insurance premiums to be deducted from their earnings on a pre-tax basis. We have been informed by the Illinois Municipal Retirement Fund ("IMRF") that these earnings would not be includable as earnings reportable to IMRF unless a resolution is adopted authorizing their inclusion.

Therefore, please adopt the attached resolution so that the amounts deducted from employee wages for their 10% employee insurance contributions can be counted for IMRF purposes. Thank you.

THE CITY OF BERWYN
COOK COUNTY, ILLINOIS

RESOLUTION
NUMBER

**RESOLUTION OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
TO INCLUDE COMPENSATION PAID UNDER A CAFETERIA PLAN AS
IMRF EARNINGS**

ROBERT J. LOVERO, Mayor
THOMAS J. PAVLIK, City Clerk

NONA N. CHAPMAN
JEFFREY G. BOYAJIAN
MARGARET PAUL
MICHELE D. SKRYD
CESAR A. SANTOY
THEODORE J. POLASHEK
RAPHAEL "RALPH" AVILA
NORA LAURETO
Aldermen

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn on __/__/10

RESOLUTION No. _____

**RESOLUTION OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
DECLARING THE INTENTION OF THE CITY COUNCIL TO INCLUDE
COMPENSATION PAID UNDER THE CITY OF BERWYN CAFETERIA PLAN AS
IMRF EARNINGS**

WHEREAS, the City of Berwyn, Cook County (the "City"), is a home rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970 and may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, a Cafeteria Plan in accordance with Section 125 of the Internal Revenue Code of 1986 was established by a resolution passed by City Council on August 10, 2010; and

WHEREAS, standard member earnings reportable to the Illinois Municipal Retirement Fund ("IMRF") do not include compensation paid under an Internal Revenue Code section 125 plan, and

WHEREAS, an IMRF participating unit of government may elect to include in IMRF earnings compensation paid under an I.R.C. section 125 plan by action of the governing body, and

WHEREAS, the City Council of the City of Berwyn is authorized to include section 125 plan compensation as earnings reportable to IMRF and it is desirable that it do so.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Berwyn, Cook County, Illinois, pursuant to its home rule authority as follows:

Section 1: The Municipality makes the findings and determinations set forth in the preamble. The terms defined in the preamble are adapted for the purposes of this Resolution.

Section 2: The City does hereby elect to include as earnings reportable to IMRF compensation paid under an I.R.C. section 125 plan effective May 6, 2010.

Section 3: The Clerk is authorized and directed to file a duly certified copy of this resolution with the Illinois Municipal Retirement Fund.

Sections 4. This Resolution shall take effect immediately upon its adoption. This Resolution was adopted by the City Council of the City of Berwyn and deposited with the Office of the City Clerk this ____ day of October, 2010, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Boyajian				
Paul				
Skryd				
Santoy				
Polashek				
Avila				
Laureto				
(Mayor Lovero)				
TOTAL				


APPROVED by the Mayor on _____, 2010.

 Robert J. Lovero
 MAYOR

Thomas J. Pavlik
 CITY CLERK



K. Consent Agenda


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

October 7, 2010

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

SUBJECT: Payroll September 29, 2010

Ladies and Gentlemen:

The current payroll has been prepared for review by the finance department and is ready for approval at the October 12, 2010 meeting.

Payroll: September 29, 2010 in the amount of \$883,617.17

Respectfully Submitted,



Nona N. Chapman
Budget Committee Chairman

K2

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

October 7, 2010

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

SUBJECT: Payables October 12, 2010 meeting

Ladies and Gentlemen:

The current payables were prepared for review by the finance department and are ready for approval at the October 12, 2010 meeting.

Total Payables: October 12, 2010 in the amount of \$1,974,149.95

Respectfully Submitted,

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

Nona N. Chapman
Budget Committee Chairman

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
01 - General Cash									
<u>Check</u>									
9207	10/13/2010	Open			Accounts Payable	1st Source America	\$2,632.44		
9208	10/13/2010	Open			Accounts Payable	A - Awesome Amusements Company	\$1,075.00		
9209	10/13/2010	Open			Accounts Payable	A Beep, LLC	\$878.00		
9210	10/13/2010	Open			Accounts Payable	ABC Automotive Electronics	\$4,262.00		
9211	10/13/2010	Open			Accounts Payable	ABC Commercial Maintenance Services, Inc.	\$9,268.00		
9212	10/13/2010	Open			Accounts Payable	ACM Elevator	\$463.65		
9213	10/13/2010	Open			Accounts Payable	AETNA - U.S. Healthcare	\$15,072.34		
9214	10/13/2010	Open			Accounts Payable	AFFY TAPPLE LLC	\$897.00		
9215	10/13/2010	Open			Accounts Payable	AIR ONE EQUIPMENT, INC.	\$7,147.12		
9216	10/13/2010	Open			Accounts Payable	ALL AMERICAN FLAG COMPANY	\$253.00		
9217	10/13/2010	Open			Accounts Payable	ALLIANCE ENTERTAINMENT	\$694.24		
9218	10/13/2010	Open			Accounts Payable	AMERICAN MESSAGING	\$305.37		
9219	10/13/2010	Open			Accounts Payable	ANNA G. GARCIA	\$1,475.00		
9220	10/13/2010	Open			Accounts Payable	APPLE BOOKS	\$493.60		
9221	10/13/2010	Open			Accounts Payable	Aqua Chill of Chicago # 22	\$179.34		
9222	10/13/2010	Open			Accounts Payable	ART FLO SHIRT AND LETTERING	\$458.00		
9223	10/13/2010	Open			Accounts Payable	ART KAMPS, BUSHWACKERS	\$400.00		
9224	10/13/2010	Open			Accounts Payable	ASSOCIATED TIRE AND BATTERY	\$89.50		
9225	10/13/2010	Open			Accounts Payable	AT & T Global Services, Inc.	\$2,037.13		
9226	10/13/2010	Open			Accounts Payable	AT&T	\$14,660.46		
9227	10/13/2010	Open			Accounts Payable	AT&T	\$7,077.32		

CITY of BERWYN

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9228	10/13/2010	Open			Accounts Payable	AudioGo	\$494.70		
9229	10/13/2010	Open			Accounts Payable	VERY'S SERVICES	\$1,040.45		
9230	10/13/2010	Open			Accounts Payable	AWESOME Pest Service	\$725.00		
9231	10/13/2010	Open			Accounts Payable	B. DAVIDS LANDSCAPING	\$1,300.00		
9232	10/13/2010	Open			Accounts Payable	Baker & Taylor, Inc.	\$342.03		
9233	10/13/2010	Open			Accounts Payable	BANC OF AMERICA PUB CAPTL CORP	\$5,512.68		
9234	10/13/2010	Open			Accounts Payable	BARGE TERMINAL & TRUCKING	\$1,085.14		
9235	10/13/2010	Open			Accounts Payable	Becky Spratford	\$9.28		
9236	10/13/2010	Open			Accounts Payable	BERWYN DEVELOPMENT CORP	\$11,352.50		
9237	10/13/2010	Open			Accounts Payable	BERWYN WESTERN PLBG. & HEATING	\$2,805.80		
9238	10/13/2010	Open			Accounts Payable	BILL TRISCHANK, T.J. DOCTORS	\$300.00		
9239	10/13/2010	Open			Accounts Payable	Blue Cross / Blue Shield of Illinois	\$538,739.49		
9240	10/13/2010	Open			Accounts Payable	BOB'S LAWN CARE	\$239.00		
9241	10/13/2010	Open			Accounts Payable	BOURBONNAIS SUPPLY CO, INC.	\$598.18		
9242	10/13/2010	Open			Accounts Payable	Brian Marquardt	\$2,217.24		
9243	10/13/2010	Open			Accounts Payable	Brian Pabst	\$7.00		
9244	10/13/2010	Open			Accounts Payable	CDW GOVERNMENT, INC.	\$2,371.09		
9245	10/13/2010	Open			Accounts Payable	Ceda of Cook County	\$10,811.83		
9246	10/13/2010	Open			Accounts Payable	CHICAGO BADGE COMPANY	\$471.47		
9247	10/13/2010	Open			Accounts Payable	Chicago Defender	\$35.00		
9248	10/13/2010	Open			Accounts Payable	CHICAGO OFFICE TECHNOLOGY GROUP	\$1,381.64		
9249	10/13/2010	Open			Accounts Payable	Chicago Parent, Division of Wednesday Journal, Inc.	\$120.00		

CITY of BERWYN

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9250	10/13/2010	Open			Accounts Payable	CICERO-BERWYN LODGE # 1510	\$140.00		
9251	10/13/2010	Open			Accounts Payable	CITADEL	\$186.00		
9252	10/13/2010	Open			Accounts Payable	COLLEGE of DuPAGE	\$100.00		
9253	10/13/2010	Open			Accounts Payable	COMCAST CABLE	\$68.56		
9254	10/13/2010	Open			Accounts Payable	ComEd	\$742.10		
9255	10/13/2010	Open			Accounts Payable	ComEd	\$33,941.88		
9256	10/13/2010	Open			Accounts Payable	COMMUNICATION REVOLVING FUND	\$439.15		
9257	10/13/2010	Open			Accounts Payable	COMPUTER POWER SYSTEMS, INC.	\$142.50		
9258	10/13/2010	Open			Accounts Payable	CONSTELLATION NEW ENERGY INC.	\$9,325.11		
9259	10/13/2010	Open			Accounts Payable	CUDA LAW OFFICES, LTD	\$1,254.00		
9260	10/13/2010	Open			Accounts Payable	DAWN WYSE	\$500.00		
9261	10/13/2010	Open			Accounts Payable	Dell Marketing, LP	\$179.95		
9262	10/13/2010	Open			Accounts Payable	DEMCO EDUCATIONAL CORP	\$38.20		
9263	10/13/2010	Open			Accounts Payable	Diamond Graphics, Inc.	\$8,503.00		
9264	10/13/2010	Open			Accounts Payable	Diamond Graphics, Inc.	\$160.00		
9265	10/13/2010	Open			Accounts Payable	DON MORRIS ARCHITECTS, P.C.	\$21,373.75		
9266	10/13/2010	Open			Accounts Payable	EARL BRIGGS	\$93.75		
9267	10/13/2010	Open			Accounts Payable	ECOLAB	\$1,161.56		
9268	10/13/2010	Open			Accounts Payable	Enterprise Leasing Co.	\$136.80		
9269	10/13/2010	Open			Accounts Payable	Felco Vending, Inc.	\$91.00		
9270	10/13/2010	Open			Accounts Payable	FLASH ELECTRIC CO.	\$1,990.00		
9271	10/13/2010	Open			Accounts Payable	FOCIS Promotions	\$1,143.50		
9272	10/13/2010	Open			Accounts Payable	FOREST PARK PUBLIC LIBRARY	\$21.00		

CITY of BERWYN

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Volded Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9273	10/13/2010	Open			Accounts Payable	Fort Dearborn Life Insurance Company	\$3,668.58		
9274	10/13/2010	Open			Accounts Payable	FRANK NOVOTNY & ASSC.	\$2,175.75		
9275	10/13/2010	Open			Accounts Payable	FULLMER LOCKSMITH SERVICE INC	\$25.00		
9276	10/13/2010	Open			Accounts Payable	Gabriel Auto Parts	\$804.46		
9277	10/13/2010	Open			Accounts Payable	GALE	\$302.07		
9278	10/13/2010	Open			Accounts Payable	GAYLORD BROS INC	\$193.23		
9279	10/13/2010	Open			Accounts Payable	GEM BUSINESS FORMS, INC.	\$866.00		
9280	10/13/2010	Open			Accounts Payable	Goldstine,Skrodzki,Russian,Nemec & Hoff,LTD.	\$4,728.92		
9281	10/13/2010	Open			Accounts Payable	GRAINGER	\$197.06		
9282	10/13/2010	Open			Accounts Payable	Gurtner Plumbing, Inc.	\$5,707.00		
9283	10/13/2010	Open			Accounts Payable	H J MOHR & SONS CO	\$4,593.12		
9284	10/13/2010	Open			Accounts Payable	H-O-H CHEMICALS, INC.	\$900.00		
9285	10/13/2010	Open			Accounts Payable	HOME DEPOT CREDIT SERVICES	\$24.79		
9286	10/13/2010	Open			Accounts Payable	HORIZON SCREENING	\$5,299.20		
9287	10/13/2010	Open			Accounts Payable	ILLINOIS PAPER & COPIER CO.	\$11.46		
9288	10/13/2010	Open			Accounts Payable	INDIAN PRAIRIE PUBLIC LIBRARY DIST.	\$16.50		
9289	10/13/2010	Open			Accounts Payable	Infinity Sign & Graphics	\$5,456.00		
9290	10/13/2010	Open			Accounts Payable	INGRAM LIBRARY SERVICES	\$2,548.97		
9291	10/13/2010	Open			Accounts Payable	INTELLIGENT SOLUTIONS, INC.	\$90.00		
9292	10/13/2010	Open			Accounts Payable	J. Sterling Morton High School	\$22,779.26		
9293	10/13/2010	Open			Accounts Payable	JACK'S RENTAL INC	\$3,953.84		
9294	10/13/2010	Open			Accounts Payable	James C. Zitzer	\$1,073.00		

CITY of BERWYN

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9295	10/13/2010	Open			Accounts Payable	James Tadrowski	\$658.56		
9296	10/13/2010	Open			Accounts Payable	Jason NG	\$480.00		
9297	10/13/2010	Open			Accounts Payable	Jim Frank	\$59.95		
9298	10/13/2010	Open			Accounts Payable	JIM QUINN	\$125.00		
9299	10/13/2010	Open			Accounts Payable	JNC CONSULTING, INC	\$1,000.00		
9300	10/13/2010	Open			Accounts Payable	JOE JOHNSON, OLD STROKES	\$175.00		
9301	10/13/2010	Open			Accounts Payable	JOHN TARULLO	\$3,695.00		
9302	10/13/2010	Open			Accounts Payable	JOHNSON,ROBERTS, & ASSOCIATES	\$16.22		
9303	10/13/2010	Open			Accounts Payable	JOSE L. NUNEZ	\$1,475.00		
9304	10/13/2010	Open			Accounts Payable	K's Construction	\$697.00		
9305	10/13/2010	Open			Accounts Payable	KIEFT BROS,INC.	\$80.00		
9306	10/13/2010	Open			Accounts Payable	L. G . SPORTS OFFICIALS	\$1,260.00		
9307	10/13/2010	Open			Accounts Payable	LANDMARK AUDIOBOOKS	\$87.30		
9308	10/13/2010	Open			Accounts Payable	LANZILLOTTI,GRIBBEN & MARCHUK	\$2,561.94		
9309	10/13/2010	Open			Accounts Payable	LARRY KRAL, AL'S ROUGHNECKS	\$75.00		
9310	10/13/2010	Open			Accounts Payable	Lopezan Construction,Inc.	\$7,015.00		
9311	10/13/2010	Open			Accounts Payable	LYONS TREE SERVICE,INC.	\$400.00		
9312	10/13/2010	Open			Accounts Payable	M. K. SPORTS	\$4,350.00		
9313	10/13/2010	Open			Accounts Payable	MARSHALL CAVENDISH	\$676.74		
9314	10/13/2010	Open			Accounts Payable	MARY DEPCIK	\$150.00		
9315	10/13/2010	Open			Accounts Payable	MASON CREST PUBLISHERS	\$961.60		
9316	10/13/2010	Open			Accounts Payable	McCANN INDUSTRIES,INC.	\$724.16		
9317	10/13/2010	Open			Accounts Payable	McDONALD MODULAR SOLUTIONS,INC.	\$95.00		

CITY of BERWYN

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9318	10/13/2010	Open			Accounts Payable	McFarlane Douglass & Companies	\$8,450.00		
9319	10/13/2010	Open			Accounts Payable	MENARDS	\$5.96		
9320	10/13/2010	Open			Accounts Payable	MENARDS	\$198.83		
9321	10/13/2010	Open			Accounts Payable	MENARDS	\$87.80		
9322	10/13/2010	Open			Accounts Payable	MES-ILLINOIS	\$140,500.00		
9323	10/13/2010	Open			Accounts Payable	METRO GARAGE INC	\$1,495.82		
9324	10/13/2010	Open			Accounts Payable	MIDWEST TAPE	\$119.94		
9325	10/13/2010	Open			Accounts Payable	Miguel A.Santiago Consulting,Inc	\$5,000.00		
9326	10/13/2010	Open			Accounts Payable	MIKE & SONS	\$465.00		
9327	10/13/2010	Open			Accounts Payable	MIKE FITZPATRICK	\$40.00		
9328	10/13/2010	Open			Accounts Payable	MILTON F PERSIN	\$72.00		
9329	10/13/2010	Open			Accounts Payable	Monroe Truck Equipment, Inc.	\$20.00		
9330	10/13/2010	Open			Accounts Payable	MRA	\$20,069.63		
9331	10/13/2010	Open			Accounts Payable	MTS SAFETY PRODUCTS,INC.	\$634.77		
9332	10/13/2010	Open			Accounts Payable	MUNICIPAL ELECTRONICS INC.	\$72.93		
9333	10/13/2010	Open			Accounts Payable	NAEIR	\$166.34		
9334	10/13/2010	Open			Accounts Payable	National Catholic Reporter	\$45.95		
9335	10/13/2010	Open			Accounts Payable	NEXTEL COMMUNICATIONS	\$651.50		
9336	10/13/2010	Open			Accounts Payable	NICOR GAS	\$287.20		
9337	10/13/2010	Open			Accounts Payable	NORA LAURETO	\$174.17		
9338	10/13/2010	Open			Accounts Payable	North Berwyn School District #98	\$24,415.61		
9339	10/13/2010	Open			Accounts Payable	North East Multi-Regional Training, Inc.	\$3,300.00		
9340	10/13/2010	Open			Accounts Payable	Northeast Wisconsin Technical College	\$175.00		

CITY of BERWYN

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9341	10/13/2010	Open			Accounts Payable	NU WIRELESS	\$130.00		
9342	10/13/2010	Open			Accounts Payable	O'Dea Entertainment	\$275.00		
9343	10/13/2010	Open			Accounts Payable	ODELSON & STERK,LTD.	\$18,358.79		
9344	10/13/2010	Open			Accounts Payable	OFFICE DEPOT	\$109.99		
9345	10/13/2010	Open			Accounts Payable	OFFICE EQUIPMENT SALES	\$502.38		
9346	10/13/2010	Open			Accounts Payable	PACE Vanpool	\$400.00		
9347	10/13/2010	Open			Accounts Payable	Patrick N.Murray	\$1,925.50		
9348	10/13/2010	Open			Accounts Payable	Pav Custom Builders	\$12,500.00		
9349	10/13/2010	Open			Accounts Payable	PHELAN DODGE	\$177.00		
9350	10/13/2010	Open			Accounts Payable	PITNEY BOWES	\$797.00		
9351	10/13/2010	Open			Accounts Payable	PROSTAR INC.	\$1,995.00		
9352	10/13/2010	Open			Accounts Payable	Prudential Insurance Company of America	\$1,485.72		
9353	10/13/2010	Open			Accounts Payable	Purchase Power	\$10,000.00		
9354	10/13/2010	Open			Accounts Payable	QUALITY TABLEGAMES,INC.	\$716.00		
9355	10/13/2010	Open			Accounts Payable	QUARRY MATERIALS,INC.	\$678.40		
9356	10/13/2010	Open			Accounts Payable	R.D.V. ELECTRIC INC.	\$120.00		
9357	10/13/2010	Open			Accounts Payable	RAJENDRA & DEEPTI DOUNDKAR	\$1,475.00		
9358	10/13/2010	Open			Accounts Payable	RANDOM HOUSE,INC.	\$59.92		
9359	10/13/2010	Open			Accounts Payable	Ranlan Properties,LLC	\$1,475.00		
9360	10/13/2010	Open			Accounts Payable	RAUL GERRILLO & HORTENCIA CARRILLO	\$1,475.00		
9361	10/13/2010	Open			Accounts Payable	RAY O'HERRON CO.INC.	\$426.65		
9362	10/13/2010	Open			Accounts Payable	RAY PELLETIER, CORDIAL INN	\$75.00		
9363	10/13/2010	Open			Accounts Payable	Raymond Martinez	\$1,475.00		

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9364	10/13/2010	Open			Accounts Payable	RECORD COPY SERVICES	\$299.25		
9365	10/13/2010	Open			Accounts Payable	RIVERSIDE PUBLIC LIBRARY	\$224.00		
9366	10/13/2010	Open			Accounts Payable	ROADSAFE-ROMEOVILLE	\$186.00		
9367	10/13/2010	Open			Accounts Payable	ROBERT DWAN	\$177.38		
9368	10/13/2010	Open			Accounts Payable	ROCKY MOUNTAIN TRACKING, INC.	\$779.40		
9369	10/13/2010	Open			Accounts Payable	RON MICHALOWICZ	\$500.00		
9370	10/13/2010	Open			Accounts Payable	RONALD P. STROJNY	\$500.00		
9371	10/13/2010	Open			Accounts Payable	ROSCOE COMPANY	\$1,175.61		
9372	10/13/2010	Open			Accounts Payable	ROUGH STONE, INC.	\$1,850.00		
9373	10/13/2010	Open			Accounts Payable	S-P-D- INCORPORATED	\$4,376.82		
9374	10/13/2010	Open			Accounts Payable	SAM'S CLUB	\$331.72		
9375	10/13/2010	Open			Accounts Payable	SAM'S CLUB	\$1,083.10		
9376	10/13/2010	Open			Accounts Payable	SANTO SPORT STORE	\$672.00		
9377	10/13/2010	Open			Accounts Payable	SARAH'S INN	\$4,889.05		
9378	10/13/2010	Open			Accounts Payable	SARAH'S PONY RIDES	\$360.00		
9379	10/13/2010	Open			Accounts Payable	Secretary of State	\$194.00		
9380	10/13/2010	Open			Accounts Payable	SHANE'S OFFICE SUPPLY CO.	\$59.08		
9381	10/13/2010	Open			Accounts Payable	SNAPPY CONVENIENCE CENTER #12	\$94.00		
9382	10/13/2010	Open			Accounts Payable	SPRINT	\$364.96		
9383	10/13/2010	Open			Accounts Payable	STANDARD EQUIPMENT CO	\$2,463.45		
9384	10/13/2010	Open			Accounts Payable	STORINO, RAMELLO & DURKIN	\$4,414.55		
9385	10/13/2010	Open			Accounts Payable	Strictly Sewers	\$11,090.00		
9386	10/13/2010	Open			Accounts Payable	SUBURBAN LIFE PUBLICATIONS	\$463.12		

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9387	10/13/2010	Open			Accounts Payable	SUBURBAN TREE CONSORTIUM	\$575.00		
9388	10/13/2010	Open			Accounts Payable	Supreme Corporation Of Indiana	\$174.63		
9389	10/13/2010	Open			Accounts Payable	TAMERLING INC.	\$311.00		
9390	10/13/2010	Open			Accounts Payable	TELE-TRON ACE HARDWARE	\$834.49		
9391	10/13/2010	Open			Accounts Payable	Texor World Fuel Services	\$540.36		
9392	10/13/2010	Open			Accounts Payable	THE BANK OF NEW YORK	\$267.50		
9393	10/13/2010	Open			Accounts Payable	THE LIBRARY STORE	\$41.46		
9394	10/13/2010	Open			Accounts Payable	THOMAS J.PAVLIK	\$332.60		
9395	10/13/2010	Open			Accounts Payable	THYSSENKRUPP ELEVATOR CORP.	\$979.04		
9396	10/13/2010	Open			Accounts Payable	Timothy Keske	\$7,752.00		
9397	10/13/2010	Open			Accounts Payable	TOTAL PARKING SOLUTIONS,INC.	\$10,675.00		
9398	10/13/2010	Open			Accounts Payable	TRYAD AUTOMOTIVE	\$62.79		
9399	10/13/2010	Open			Accounts Payable	U.S. Cavalry	\$1,960.67		
9400	10/13/2010	Open			Accounts Payable	U.S. Cellular	\$171.57		
9401	10/13/2010	Open			Accounts Payable	UPSTART INC	\$30.00		
9402	10/13/2010	Open			Accounts Payable	US GAS	\$387.60		
9403	10/13/2010	Open			Accounts Payable	USA SPORT PRODUCTS INC.	\$155.66		
9404	10/13/2010	Open			Accounts Payable	VERIZON WIRELESS	\$65.00		
9405	10/13/2010	Open			Accounts Payable	VERMEER-ILLINOIS,INC.	\$252.26		
9406	10/13/2010	Open			Accounts Payable	VOLTEXX,INC.	\$615.65		
9407	10/13/2010	Open			Accounts Payable	VOLTEXX,INC.	\$253.92		
9408	10/13/2010	Open			Accounts Payable	WALGREENS CO.	\$86.55		
9409	10/13/2010	Open			Accounts Payable	WARREN OIL COMPANY	\$90.95		

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
9410	10/13/2010	Open			Accounts Payable	WARREN OIL COMPANY	\$31,415.69		
9411	10/13/2010	Open			Accounts Payable	WASTE MANMAGEMENT ILLINOIS-METRO	\$679,602.02		
9412	10/13/2010	Open			Accounts Payable	WATER ONE	\$34.50		
9413	10/13/2010	Open			Accounts Payable	WEIMER MACHINE	\$3,854.89		
9414	10/13/2010	Open			Accounts Payable	West Suburban Juvenile Officers Association	\$150.00		
9415	10/13/2010	Open			Accounts Payable	WEST SUBURBAN PADS	\$1,019.35		
9416	10/13/2010	Open			Accounts Payable	WEST SUBURBAN PADS	\$782.64		
9417	10/13/2010	Open			Accounts Payable	WESTERN REMAC INC.	\$4,353.85		
9418	10/13/2010	Open			Accounts Payable	WIDAMAN SIGNS	\$527.50		
9419	10/13/2010	Open			Accounts Payable	WILLIAM PULLEY	\$1,475.00		
9420	10/13/2010	Open			Accounts Payable	WJR REMODELING	\$7,890.00		
9421	10/13/2010	Open			Accounts Payable	Prairie/ Archway International Trucks	\$89,058.00		
9422	10/13/2010	Open			Accounts Payable	PACE Vanpool	\$1,000.00		
9423	10/13/2010	Open			Accounts Payable	PACE Vanpool	\$1,000.00		
Type Check Totals:					217 Transactions		\$1,974,149.95		

01 - General Cash Totals

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	217	\$1,974,149.95	
	Total	217	\$1,974,149.95	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	217	\$1,974,149.95	
	Total	217	\$1,974,149.95	\$0.00

Payment Register

From Payment Date: 10/9/2009 - To Payment Date: 10/13/2010

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	217	\$1,974,149.95	
	Total	217	\$1,974,149.95	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	217	\$1,974,149.95	
	Total	217	\$1,974,149.95	\$0.00

K/3

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) 788-2676
www.berwyn-il.gov

October 7, 2010
Mayor Robert J. Lovero
Members of the Berwyn City Council
Berwyn City Hall

Re: Handicap request #679
3619 Eucild Ave.

Ladies and Gentlemen,

I need to override the investigating officer's recommendation in the attached Handicap application to **approve** the request. Please see the attached letter from the homeowner.

Respectfully,


Nona N. Chapman
1st ward Alderman

Berwyn
Police Department

6401 West 31st Street
Berwyn, Illinois 60402-0733
Phone (708) 795-5600
(Fax) 795-5627 Emergency 9-1-1

**TO: HONORABLE MAYOR ROBERT J. LOVERO AND
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT
LOCAL ORDINANCE DIVISION**

DATE: September 17, 2010

RE: HANDICAPPED SIGN FOR: Ida Caldwell # 679

**ATTACHED IS A REQUEST FOR A HANDICAPPED SIGN TO BE
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

3619 S. Euclid Ave.

PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.

CC: ALDERMAN Nona Chapman

Berwyn Police Department

6401 West 31st Street
Berwyn, Illinois 60402-0733
Phone (708) 795-5600
(Fax) 795-5627 Emergency 911

Handicapped Parking Sign Request & Report

To: Mayor Robert J. Lovero
And Members of City Council

From: Berwyn Police Department
Community Service Division

Date: 15 September 2010

Application: 679

Name of Applicant: Ida Caldwell

Address: 3619 S Euclid Ave

Telephone: 708-749-0796

Nature of Disability: Gastric and Renal Cancer

2010 SEP 16 AM 10:42
CITY OF BERWYN
CLERK'S OFFICE

Information	YES	NO	Information	YES	NO
Doctor's Note/ Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	—	
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:	—	—
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:	—	—
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	—	—
Meets Requirements:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Report Number: 10-12450		

Recommendation: APPROVE DENY

Reporting Officer: C Deleon # 187

Comments:

Alderman:

Ward: #1

Berwyn Police Department

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

Incident#: 10-12450

STATION COMPLAINT UCR 9041 (Applicant File)	DESCRIPTION Applicant File	INCIDENT # 10-12450
REPORT TYPE Incident Report	RELATED CAD # C10-049445	HOW RECEIVED Telephone
WHEN REPORTED 09/15/2010 09:37	LOCATION OF OFFENSE (HOUSE NO., STREET NAME) 3619 S EUCLID AV Berwyn, IL 60402	
TIME OF OCCURRENCE 09/15/2010 09:37	STATUS CODE	STATUS DATE

INVOLVED ENTITIES							
NAME	DOB	AGE	ADDRESS				
Caldwell, Ida			3619 S EUCLID AV Berwyn, IL 60402				
SEX	RACE	HGT	WGT	HAIR	EYES	PHONE	
F							
CLOTHING	SID #	DL #	FBI #				

UCR	TYPE	RELATED EVENT #
9041 (Applicant File) - 0 count(s)	Reporting Party	

INVOLVED VEHICLES					
VEH/PLATE #	STATE	TYPE	INVOLVEMENT	VIN #	
	IL	Sedan, 4-door			
YEAR	MAKE	MODEL	COLOR	COMMENTS	
2002	Chrysler	PT Cruiser			
OWNER					

NARRATIVES

PRIMARY NARRATIVE

In summary Cso Deleon# 187 interviewed Ida Caldwell of 3619 Euclid of which she does not own in regards to the handicapped application she submitted. Cso Deleon was informed by Mrs. Caldwell that there is limited parking on the street and that she is weak due the her illness. She has a garage to which her ex husband uses and that she shows no signs of limited mobility. No letter of owner consent submitted. Cso Deleon recomended that the application be denied.

REPORTING OFFICER	STAR #	REVIEWER	STAR #
YOUNG, TERRY	183		

ASSISTING OFFICERS

OFFICERS	STAR #



BERWYN POLICE DEPARTMENT



8401 West 31st Street
Berwyn, Illinois 60402-3738
Phone: (708) 795-5600
Fax: (708) 795-5627 Emergency 9-1-1

HANDICAPPED PARKING INTERVIEW FORM

Applicant Name: IDA CALDWELL

Applicant Address: 3619 EUCLID

Applicant Phone #: _____

Applicant D/L #: _____ D.O.B. _____

Vehicle Make: CHRYSLER PT CRUISER Vehicle Color: RED

License Plate #: _____ Handicapped Placard #: N/A

Does Applicant Use:

Wheelchair _____ Walker _____ Cane _____ Oxygen _____

Parking Availability:

Driveway No Garage YES On Street YES Off Street No.

Notes: USES FRONT ENTRANCE, ~~DISABLED~~, LIMITED PARKING AT VARIOUS
TIMES OF DAY. LIMITED MOBILITY DUE TO _____ COUPLE IS
DIVORCED BUT STILL LIVING TOGETHER. MRS. CALDWELL DOES NOT
PAY RENT. NO OWNER CONSENT LETTER SUBMITTED. GARAGE IS UTILIZED
BY THE HUSBAND AT THIS TIME. MRS. CALDWELL DID NOT SHOW ANY SIGNS OF
APPLICANT INTERVIEW LIMITED MOBILITY.

Date: <u>09-02-10</u>	Time: <u>2:05 PM</u>	Results: <u>RECOMMENDATION (DENIED)</u>
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____

Completion Date: 9/15/10

Application Number:

679

Logged in Book: 9/15/10

10-12450

CITY OF BERWYN - AFFIDAVIT FOR HANDICAPPED SIGN

AUG 26 2010

PLEASE PRINT

Ida Caldwell
(Handicapped Person Name)

3619 Euclid
(Address)

Ida Caldwell
(Applicant's Name)

(Phone)

PLEASE PRINT

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.

John M. Caldwell
(Signature of Applicant)

8/28/10
(Date)

PLEASE PRINT

PHYSICIAN MUST FILL OUT THE NATURE OF PATIENT'S HANDICAP

I HEREBY CERTIFY THAT THE PHYSICAL CONDITIONS OF THE ABOVE NAMES "HANDICAPPED PERSON" CONSTITUTES HIM/HER A HANDICAPPED PERSON AS DEFINED UNDER THE SATUTORY PROVISION PAR. 1-159.1 (PHYSICALLY HANICAPPED 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)

8/24/10
(Date)

(PLEASE PRINT - PHYSICIAN'S Name and Address)

(Phone)

HANDICAPPED STATE PLATE Ky Rain

VEHICLE TAG # 24582 YR 2011

REGULAR STATE-PLATE # _____

HANDICAP STATE CARD # _____

YOU MUST HAVE A HANDICAP STATE PLATE OR CARD TO PARK VEHICLE IN A HANDICAPPED SPOT.

10/7/10

To whom it may concern,

I am the owner of the property located at 3619 Euclid Av, and I give authorization for the City Of Berwyn to put up a handicap sign for Ida Caldwell.

Contact me with any questions or concerns.

2-1-10

Sincerely,

A handwritten signature in cursive script that reads "Maynard Caldwell".

Maynard Caldwell
3619 S. Wesley
Berwyn, IL 60402

KH

The City of Berwyn



Rafael Avila
7th Ward Alderman

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6407 Fax: (708) 788-2675
www.berwyn-il.gov

October 8, 2010

Honorable mayor Robert J. Lovero and
Members of City Council

Re: Handicap Sign Request No. 682 - Maria Alvarado
1621 S. Home Ave.

Mayor and City Council Members:

I concur with the investigating officer's recommendation in the attached handicap sign application to **Approve** the request.

Respectfully,

Rafael Avila
7th Ward Alderman

Berwyn
Police Department

6401 West 31st Street
Berwyn, Illinois 60402-0733
Phone (708) 795-5600
(Fax) 795-5627 Emergency 9-1-1

**TO: HONORABLE MAYOR ROBERT J. LOVERO AND
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT
LOCAL ORDINANCE DIVISION**

DATE: September 23, 2010

RE: HANDICAPPED SIGN FOR: Maria Alvarado #682

**ATTACHED IS A REQUEST FOR A HANDICAPPED SIGN TO BE
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

1621 S. Home Ave.

PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.

CC: ALDERMAN Rafael Avila

Berwyn Police Department

CITY OF BERWYN
CLERK'S OFFICE

6401 West 31st Street
Berwyn, Illinois 60402-0733
Phone (708) 795-5600

2010 SEP 22 P 12: 25

(Fax) 795-5627 Emergency 911

Handicapped Parking Sign Request & Report

To: Mayor Robert J. Lovero
And Members of City Council

From: Berwyn Police Department
Community Service Division

Date: 22 September 2010

Application: 682

Name of Applicant: Maria Alvarado

Address: 1621 S Home Ave

Telephone:

Nature of Disability: ..

r

Information	YES	NO	Information	YES	NO
Doctor's Note/ Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	—	—
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:	—	—
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:	—	—
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	—	—
Meets Requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Report Number: 10-12772		

Recommendation: APPROVE DENY

Reporting Officer: T Young # 183

Comments:

Alderman:

Ward: 7th Rafael Avila

Berwyn Police Department

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

Incident#: 10-12772

STATION COMPLAINT UCR 9041 (Applicant File)	DESCRIPTION Applicant File	INCIDENT # 10-12772
REPORT TYPE Incident Report	RELATED CAD # C10-050883	HOW RECEIVED Telephone
WHEN REPORTED 09/22/2010 08:50	LOCATION OF OFFENSE (HOUSE NO., STREET NAME) 1621 S HOME AV Berwyn, IL 60402	
TIME OF OCCURRENCE 09/22/2010 08:50	STATUS CODE	STATUS DATE

INVOLVED ENTITIES							
NAME	DOB	AGE	ADDRESS				
Alvarado, Maria M			1621 S Home AV Berwyn, IL 60402				
SEX: F	RACE: Hispanic, Latino	HGT:	WGT:	HAIR:	EYES:	PHONE:	FBI #:
CLOTHING:		SID #:		DL #:			
UCR 9041 (Applicant File) - 0 count(s)				TYPE Reporting Party			RELATED EVENT #

INVOLVED VEHICLES					
VEH/PLATE #	STATE	TYPE	INVOLVEMENT		VIN #
	IL	Carryall/SUV			
YEAR: 1997	MAKE: Mercury	MODEL: Villager Minivan	COLOR: White	COMMENTS:	
OWNER:					

NARRATIVES

PRIMARY NARRATIVE

In summary a/o interviewed Maria Alvarado homeowner of 1621 Home Ave regarding the handicap application that was submitted. Maria advised a/o that she has a vehicle registered to her a white and gold in color 1997 Mercury minivan bearing 11 plate and a handicapped placard# BC12758. Maria is unable to drive and her husband drives her to all medical appointments. Maria advised a/o that she has and is in process of undergoing and requires and o move around. Maria does have a garage but is unable to utilize due to it being used for storage for her mothers belongings. Maria also advised a/o that it is easier for her to use the front entrance of her residence due to less steps. A/o recommends that the application be approved.

REPORTING OFFICER YOUNG, TERRY	STAR # 183	REVIEWER	STAR #
-----------------------------------	---------------	----------	--------

ASSISTING OFFICERS

OFFICERS	STAR #
----------	--------

Robert Lovelud
~~Michael A. O'Connor~~
Mayor



Debi Suchy
City Collector

AUG 24 2010

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 740-8910
www.berwyn-il.gov

¹⁰
~~2009~~ **HANDICAP SIGN AFFIDAVIT**

PLEASE PRINT

MARIA ALVARADO
(Name of Handicapped Person)

1621 S. HOME AVE
(Address of Handicapped Person)

SAME AS ABOVE
(Name of Applicant)

(Phone Number of Handicapped Person)

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.

Maria M. Alvarado
(Signature of Applicant)

8/16/2010
(Date)

PHYSICIANS STATEMENT
PLEASE PRINT NATURE OF PATIENT'S HANDICAP

I, HEREBY CERTIFY THAT THE PHYSICAL CONDITION OF THE ABOVE NAMED "HANDICAPPED PERSON" CONSTITUTES HIM/HER A HANDICAPPED PERSON AS DEFINED UNDER THE STATUTORY PROVISION PAR. 1-159.1 (Physically Handicapped Person - Every 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).

7
(Print - Name of Physician)

8
(Address of Physician)

(Signature of Physician)

7 8/16/10
(Physicians Phone #) (Date)

Handicapped State Plate # _____ Vehicle Tag # _____ Year _____

Regular State Plate # _____ Handicap State Card # _____

YOU MUST HAVE A HANDICAP STATE PLATE OR CARD TO PARK YOUR VEHICLE
IN A HANDICAPPED PARKING SPACE.

Park West Family Physicians
830 West Diversey Parkway
Chicago, IL 60614
(773) 281-3563



0-12712

BERWYN POLICE DEPARTMENT



8401 West 31st Street
Berwyn, Illinois 60402-0733
Phone: (708) 795-5600
Fax: (708) 795-5627 Emergency: 9-1-1

HANDICAPPED PARKING INTERVIEW FORM

Applicant Name: MARIA ALVARADO

Applicant Address: 1621 S. HOME AVE.

Applicant Phone #: _____

Applicant D/L #: _____ D.O.B. _____

Vehicle Make: MERCURY Vehicle Color: WHITE/GOLD

License Plate #: _____ Handicapped Placard #: BC 12758

Does Applicant Use:

Wheelchair _____ Walker _____ Cane _____ Oxygen _____

Parking Availability:

Driveway N/A Garage X On Street X Off Street N/A

Notes: USE S FRONT ENTRANCE, unable to use garage due to it being used for storage. MARIA has _____ and is due for _____ and has limited mobility uses a cane and walker to move around. Maria's husband does drive Maria to work even for visits.

APPLICANT INTERVIEW

Date:	<u>9/10/10</u>	Time:	<u>1400</u>	Results:	<u>(Approved) Recommendation</u>
Date:	_____	Time:	_____	Results:	_____
Date:	_____	Time:	_____	Results:	_____
Date:	_____	Time:	_____	Results:	_____
Date:	_____	Time:	_____	Results:	_____

Completion Date: 9/10/10

Application Number:

682

Logged In Book: 9/10/10

The City of Berwyn



Nora Laureto
8th Ward Alderman

A Century of Progress with Pride

8700 West 26th Street Berwyn, Illinois 80402-0701 Telephone: (708) 740-6408 Fax: (708) 788-2675
www.berwyn-il.gov

October 8, 2010

Honorable Mayor Robert J. Lovero and
Members of City Council

Re: Handicap Sign Request No. 683 – Thomas H. Ott
1441 East Ave.

Mayor and City Council Members;

I concur with the investigating officer's recommendation in the attached handicap sign application to **Approve** the request.

Respectfully,

Nora Laureto
8th Ward Alderman

Berwyn
Police Department

6401 West 31st Street
Berwyn, Illinois 60402-0733
Phone (708) 795-5600
(Fax) 795-5627 Emergency 9-1-1

**TO: HONORABLE MAYOR ROBERT J. LOVERO AND
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT
LOCAL ORDINANCE DIVISION**

DATE: September 23, 2010

RE: HANDICAPPED SIGN FOR: Thomas H. Ott #683

**ATTACHED IS A REQUEST FOR A HANDICAPPED SIGN TO BE
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

1441 East Ave.

PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.

CC: ALDERMAN Nora Laureto

Berwyn Police Department

CITY OF BERWYN
CLERK'S OFFICE

2010 SEP 22 P 12: 25

6401 West 31st Street
Berwyn, Illinois 60402-0733
Phone (708) 795-5600
(Fax) 795-5627 Emergency 911

Handicapped Parking Sign Request & Report

To: Mayor Robert J. Lovero
And Members of City Council

From: Berwyn Police Department
Community Service Division

Date: 22 September 2010

Application: 683

Name of Applicant: Thomas H Ott

Address: 1441 East Ave.

Telephone:

Nature of Disability:

Information	YES	NO	Information	YES	NO
Doctor's Note/ Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	—	—
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:	—	—
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:	—	
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:		
Meets Requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Report Number: 10-12778		

Recommendation: APPROVE DENY

Reporting Officer: T Young # 183

Comments:

Alderman:

Ward: 8th . Nora Laurdo

Berwyn Police Department

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

Incident#: 10-12778

STATION COMPLAINT UCR 9041 (Applicant File)	DESCRIPTION Applicant File	INCIDENT # 10-12778
REPORT TYPE Incident Report	RELATED CAD # C10-050906	HOW RECEIVED In Person
WHEN REPORTED 09/22/2010 11:45	LOCATION OF OFFENSE (HOUSE NO., STREET NAME) 1441 S EAST AV Berwyn, IL 60402	
TIME OF OCCURRENCE 09/22/2010 11:45	STATUS CODE	STATUS DATE

INVOLVED ENTITIES									
NAME	DOB	AGE	ADDRESS			PHONE			
TAMAYO, ELIZABETH A			1441 S EAST AV Berwyn, IL 60402						
SEX RACE	HGT	WGT	HAIR	EYES					
F									
CLOTHING	SID #	DL #	FBI #						
UCR	TYPE		RELATED EVENT #						
9041 (Applicant File) - 0 count(s)	Other								
NAME	DOB	AGE	ADDRESS			PHONE			
Ott, Thomas H			1441 S EAST AV Berwyn, IL 60402						
SEX RACE	HGT	WGT	HAIR	EYES					
M									
CLOTHING	SID #	DL #	FBI #						
UCR	TYPE		RELATED EVENT #						
9041 (Applicant File) - 0 count(s)	Reporting Party								

INVOLVED VEHICLES					
VEH/PLATE #	STATE	TYPE	INVOLVEMENT	VIN #	
	IL	Sedan	Involved		
YEAR	MAKE	MODEL	COLOR	COMMENTS	
2007	Honda	(unknown)	Blue		
OWNER					

NARRATIVES
PRIMARY NARRATIVE

In summary a/o interviewed Thomas Ott who is the homeowner of 1441 East Ave regarding the handicap application that was submitted. Mr. Ott advised a/o that he has limited mobility due to a severe stroke that has left him paralyzed on his right side. Mr. Ott does not drive and has a handicap placard bearing # BA63370. A/o was informed that his daughter Elizabeth Tamayo resides with him and is the one who transports him to his medical appointments and is his caretaker. Ms. Tamayo drives a blue in color 2007 Honda bearing 11. Mr. Ott informed a/o that he does require a move about and that he does have a garage with mobility. Mr. Ott does have garage that he can utilize, but does not due to the not fitting properly through the servcie door and the narrow sidewalk in the back of his residence. A/o recommends that application be approved.

REPORTING OFFICER YOUNG, TERRY	STAR # 183	REVIEWER	STAR #
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10-12778



THE CITY OF BERWYN, ILLINOIS

CITY OF BERWYN CLERK'S OFFICE

2010 JUL -8 P 1:41

CITY OF BERWYN - AFFIDAVIT FOR HANDICAP SIGN

PLEASE PRINT

Thomas H. Ott (Name of Handicapped Person)

1441 East Ave. (Address of Handicapped Person)

Thomas H. Ott (Name of Applicant)

(Phone Number of Handicapped Person)

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.

Thomas H. Ott (Signature of Applicant)

7/6/10 (Date)

PHYSICIANS STATEMENT PLEASE PRINT NATURE OF PATIENT'S HANDICAP

I, HEREBY CERTIFY THAT THE PHYSICAL CONDITION OF THE ABOVE NAMED "HANDICAPPED PERSON" CONSTITUTES HIM/HER A HANDICAPPED PERSON AS DEFINED UNDER THE STATUTORY PROVISION PAR. 1-159.1 (Physically Handicapped Person - Every 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).

(Print - Name of Physician)

(Print - Address of Physician)

(Signature of Physician)

(Physicians Phone #) (Date) 7-6-10

Handicapped State Plate #

Vehicle Tag # BA63370 year 2014

Regular State Plate #

Handicap State Card #

YOU MUST HAVE A HANDICAP STATE PLATE OR CARD TO PARK YOUR VEHICLE IN A HANDICAPPED PARKING SPACE.



BERWYN POLICE DEPARTMENT



8401 West 31st Street
Berwyn, Illinois 60402-0733
Phone: (708) 795-5600
Fax: (708) 795-5627 Emergency: 9-1-1

HANDICAPPED PARKING INTERVIEW FORM

Applicant Name: Thomas H. Ott

Applicant Address: 1441 EAST AVE.

Applicant Phone #: _____

Applicant D/L #: N/A D.O.B. C 1 1 1 1

Vehicle Make: HONDA Vehicle Color: Blue

License Plate #: _____ Handicapped Placard #: BA 63370

Does Applicant Use:

Wheelchair _____ Walker _____ Cane _____ Oxygen _____

Parking Availability:

Driveway N/A Garage X On Street X Off Street N/A

Notes: A/C spoke to Thomas Ott who informed a/c that he is
l on his right side due to a Mr. Ott has
a garage but has difficulty using it due to his wheelchair having limited
clearance through the side door. Lie Tamayo who resides with Mr. Ott
transports him to appointments in her vehicle and is his daughter.

APPLICANT INTERVIEW

Date: <u>9/22/10</u>	Time: <u>11:00</u>	Results: <u>Recommend (APPROVE)</u>
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____
Date: _____	Time: _____	Results: _____

Completion Date: 9/22/10

Application Number:

Logged in Book: 9/22/10

683

Robert J. Lovero
Mayor



Charles D. Lazzara
Building Director

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-1427
www.berwyn-il.gov

October 6, 2010

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

Re: Building and Local Improvement Permits

Gentlemen:

Attached hereto is the financial report of Building and Local Improvement Permits issued by the City of Berwyn for the month of September, 2010, along with a copy of Permit Statistics for this same period.

Respectfully,

Charles D. Lazzara, Director
Building Department

CDL:cr
Encs.

Permits Issued By The Building Department

Tuesday, October 05, 2010

Between: 9/1/2010 And 9/30/2010

<u>Building</u>	Permits Issued: 7	Cost of Improvements: \$106,400.00
<u>Dumpster</u>	Permits Issued: 7	Cost of Improvements: \$300.00
<u>Electrical</u>	Permits Issued: 29	Cost of Improvements: \$33,586.00
<u>Fence</u>	Permits Issued: 16	Cost of Improvements: \$30,059.00
<u>Garage</u>	Permits Issued: 8	Cost of Improvements: \$82,235.00
<u>HVAC</u>	Permits Issued: 20	Cost of Improvements: \$72,918.00
<u>Local Improvement</u>	Permits Issued: 197	Cost of Improvements: \$1,501,698.11
<u>Plumbing</u>	Permits Issued: 40	Cost of Improvements: \$115,038.00
<u>POD</u>	Permits Issued: 2	Cost of Improvements: \$0.00
<u>Roofing</u>	Permits Issued: 87	Cost of Improvements: \$396,930.00
<u>Sign</u>	Permits Issued: 5	Cost of Improvements: \$8,454.00
	Total Permits: 418	Total Improvements: \$2,347,618.11

Fees Collected

Building Permit	\$510.00
Final Building	\$795.00
Local Improvement Permit	\$24,755.00

Permits Issued By The Building Department

Tuesday, October 05, 2010

Between: 9/1/2010 And 9/30/2010

Electrical Fees	\$765.00
Electric (Underground)	\$150.00
Electrical Service	\$175.00
Electrical Inspection	\$5,500.00
Signs	\$350.00
Framing Inspection	\$1,225.00
Inspection	\$9,580.00
Fence Fees	\$590.00
Foundation Inspection	\$130.00
Plumbing Fees	\$890.00
Plumbing Inspection	\$4,700.00
Plumbing Inspection (Underground)	\$900.00
Post Hole Inspection	\$1,050.00
HVAC Permit	\$1,115.00
HVAC Inspection	\$2,650.00
Service Charge	\$2,420.26
Insulation/Fire Stopping Inspection	\$265.00
Demolition Fees	\$75.00
Dumpster	\$1,900.00
POD	\$50.00
Parkway Use	\$25.00
Pre-Pour Inspection	\$1,920.00
Stack Test	\$250.00
Roof Covering Fees	\$5,495.00
Garage Permit	\$600.00
Gas Pressure	\$50.00
Fire Department	\$50.00
Health Department	\$65.00
Plan Review Fee - w/Permits	\$2,665.79
Total Fees Collected	\$71,661.05

Report Of Building Permits Issued By The City Of Berwyn

Tuesday, October 05, 2010

Between: 9/1/2010 And 9/30/2010

Name and Address			Issued	Permit No.	Cost Of Improvements	Cost Of Permit
Scott Brave	7004 W. Pershing Road	BUILD A 24' X 24' X 16' GARAGE AND R/R SIDEWALKS.	9/1/2010	Gar-B 7452-0	\$7,000.00	\$375.00
Jack Shay	6628 W. 34th Street	COMPLETE REMODEL OF HOME, NEW ELECTRIC, PLUMBING, ROOF, NEW KITCHEN CABINETS, INSTALL BATHROOM IN ATTICE, REPAINT, NEW CARPETING, LANDSCAPING. NEW HVAC AND A/C, REBUILD BACK ADDITION TO CODE.	9/2/2010	Bldg-B 7453-0	\$75,000.00	\$0.00
David Valentin	2306 S. Cuyler Avenue	DEMO GARAGE ONLY.- NO OTHER WORK ON THIS PERMIT	9/8/2010	Gar-B 7454-0	\$1,900.00	\$75.00
Jozef Sobczak	3818 S. Euclid Avenue	REMODEL KITCHEN & BATHROOM ON THE 1ST FLOOR. ADDING A BATHROOM IN THE BASEMENT. INSTALLING A EGRESS WINDOW IN BASEMENT TO CODE. R/R SIDEWALK FRONT TO ALLEY AND FRONT APPROACH, NEW PIPING AND DRAIN WASTE VENT.- FRAMING ON CONCRETE TO BE TREATED	9/13/2010	Bldg-B 7455-0	\$18,900.00	\$855.00
Sandeep Agnihotri & Curtis Pettyj	2422 S. Wesley Avenue	ADD NEW BATHROOM IN ATTIC - T/O AND RE SHINGLE ROOF - INSTALL BOOSTER PUMP	9/14/2010	Bldg-B 7456-0	\$10,000.00	\$810.00
Beratrice M. Pacourek	1644 S. Clarence Avenue	BUILD A 22' X 24' X 14' GARAGE.	9/14/2010	Gar-B 7457-0	\$11,700.00	\$230.00
Jerry Karp	1244 S. Scoville Avenue	BUILD A 18' X 20' X 12.25' GARAGE.	9/15/2010	Gar-B 7458-0	\$12,560.00	\$280.00
Rick Tymczuk	2513 S. Clinton Avenue	DEMO & BUILD A 22' X 24' X 12' GARAGE.	9/15/2010	Gar-B 7459-0	\$11,000.00	\$355.00
Ben Patti	1319 S. Gunderson Avenue	R/R FURNACE AND INSTALL A/C UNIT. -- NO ELECTRIC ON THIS PERMIT.	9/16/2010	HVAC- 7460-0	\$4,500.00	\$190.00
J & P Murphy	6902 W. 30th Street	BUILD A 22' X 20' X 13'6" GARAGE WITH ATTACHED 22' X 11.8' SCREEN ROOM.	9/16/2010	Gar-B 7461-0	\$23,650.00	\$330.00
Armida De Jesus	1400 S. Highland Avenue	NEW BATHROOM IN BASEMENT TO CODE	9/22/2010	Bldg-B 7462-0	\$2,500.00	\$485.00
Pedro Huizar	1227 S. Wesley Avenue	REPLACE FURNACE AND ADD NEW A/C TO 1ST FLOOR. 2ND FLR: ADD FURNACE & A/C AND ALL DUCT WORK NEEDED FOR SUPPLY & RETURNS AS REQ'D.	9/28/2010	HVAC- 7463-0	\$6,600.00	\$425.00
Salvador Ochoa, Jr. & Maria Med	3628 S. Cuyler Avenue	DEMO OLD GARAGE AND BUILD NEW DET FRAME 2 CAR GARAGE 22 X 22 X 14 H	9/29/2010	Gar-B 7464-0	\$14,425.00	\$305.00
Barbara Poling	2748 S. Cuyler Avenue	ELECTRIC RE INSPECTION FOR B-8943 AND PLUMBING FINAL INSPECTION FOR L-38996	9/20/2010	Bldg-R 6943-1	\$0.00	\$100.00
Nancy and Donald Ginger	3818 S. Gunderson Avenue	ELECTRICAL REINSPECTION.	9/1/2010	Gar-R 7439-1	\$0.00	\$50.00
Ronald & Jiranan Skolba	2631 S. Clarence Avenue	FRAMING RE INSPECTION	9/23/2010	Bldg-R 7442-1	\$0.00	\$50.00
Jozef Sobczak	3818 S. Euclid Avenue	HVAC RE INSPECTION	9/28/2010	Bldg-R 7455-2	\$0.00	\$65.00

Report Of Building Permits Issued By The City Of Berwyn

Tuesday, October 05, 2010

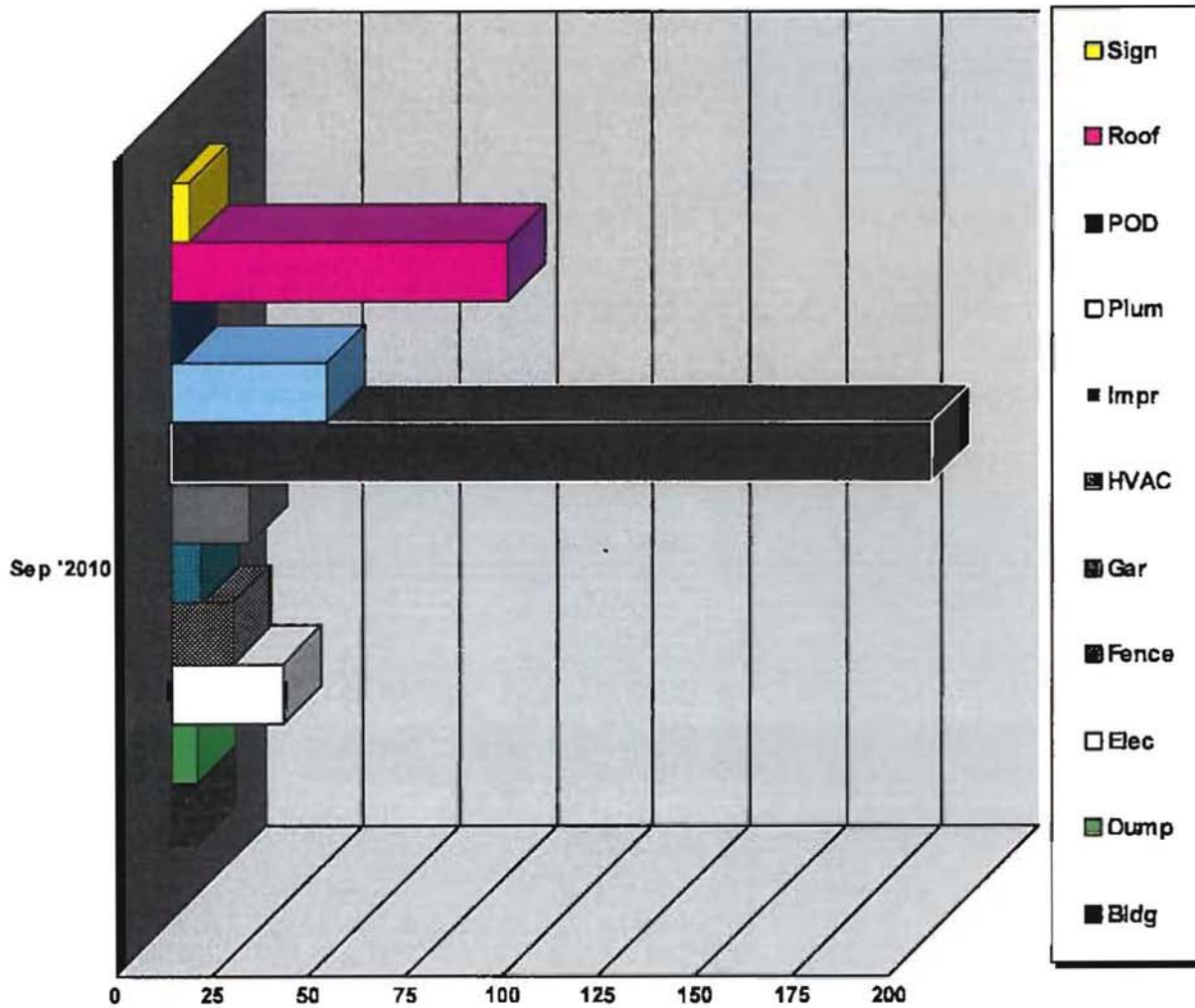
Between: 9/1/2010 And 9/30/2010

<u>Name and Address</u>	<u>Issued</u>	<u>Permit No.</u>	<u>Cost Of Improvements</u>	<u>Cost Of Permit</u>
17 Building Permits Issued During Period			<u>\$199,735.00</u>	<u>\$4,980.00</u>

Permits Issued

Tuesday, October 5, 2010 12:14 PM

For Period Beginning 9/1/2010 And Ending 9/30/2010



Permit Detail

2010	September	Bldg	7
2010	September	Dump	7
2010	September	Elec	29
2010	September	Fence	16
2010	September	Gar	8
2010	September	HVAC	20
2010	September	Impr	197
2010	September	Plum	40
2010	September	POD	2
2010	September	Roof	87
2010	September	Sign	5

418

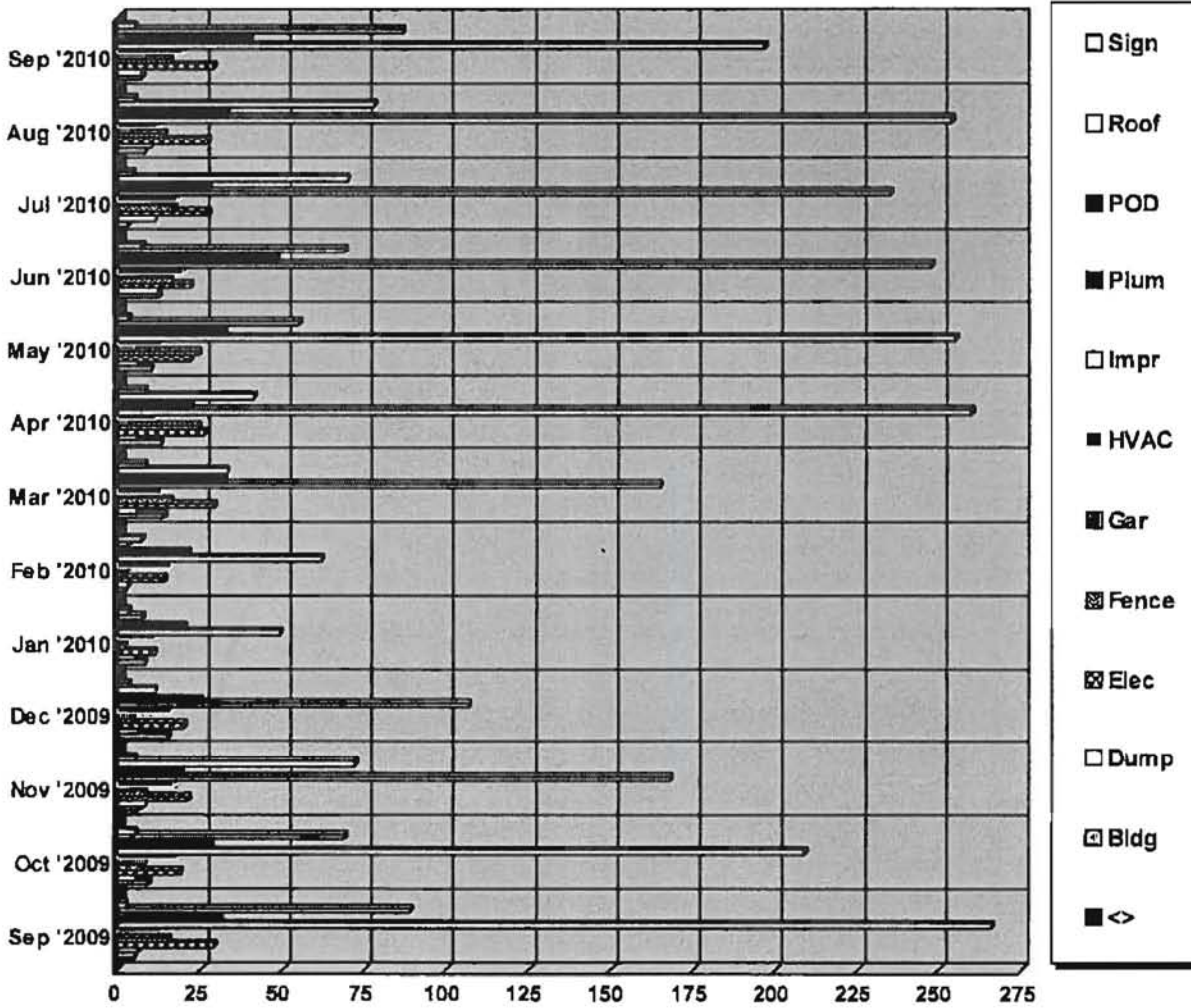
Total Permits Issued

418

Permits Issued

Tuesday, October 5, 2010 12:15 PM

For Period Beginning 9/1/2009 And Ending 9/30/2010



Permit Detail

2010	September	Bldg	7
2010	September	Dump	7
2010	September	Elec	29
2010	September	Fence	16
2010	September	Gar	8
2010	September	HVAC	20
2010	September	Impr	197
2010	September	Plum	40
2010	September	POD	2
2010	September	Roof	87
2010	September	Sign	5
<hr/>			
2010	August	Bldg	8
2010	August	Dump	10
2010	August	Elec	27
2010	August	Fence	14
2010	August	Gar	4
2010	August	HVAC	12
2010	August	Impr	254
2010	August	Plum	33
2010	August	Roof	78
2010	August	Sign	5

418

445

2010	July		1
2010	July	Bldg	3
2010	July	Dump	11
2010	July	Elec	27
2010	July	Fence	17
2010	July	Gar	9
2010	July	HVAC	18
2010	July	Impr	235
2010	July	Plum	27
2010	July	POD	3
2010	July	Roof	70
2010	July	Sign	4
<hr/>			
2010	June	Bldg	12
2010	June	Dump	12
2010	June	Elec	22
2010	June	Fence	16
2010	June	Gar	6
2010	June	HVAC	20
2010	June	Impr	248
2010	June	Plum	48
2010	June	Roof	69
2010	June	Sign	7

425

460

Permit Detail

2010	May	Bldg	10
2010	May	Dump	6
2010	May	Elec	22
2010	May	Fence	24
2010	May	Gar	5
2010	May	HVAC	13
2010	May	Impr	255
2010	May	Plum	32
2010	May	Roof	55
2010	May	Sign	3

425

2010	April	Bldg	13
2010	April	Dump	8
2010	April	Elec	26
2010	April	Fence	24
2010	April	Gar	3
2010	April	HVAC	11
2010	April	Impr	260
2010	April	Plum	22
2010	April	POD	1
2010	April	Roof	41
2010	April	Sign	8

415

2010	March		1
2010	March	Bldg	14
2010	March	Dump	5
2010	March	Elec	29
2010	March	Fence	18
2010	March	Gar	6
2010	March	HVAC	13
2010	March	Impr	165
2010	March	Plum	32
2010	March	Roof	33
2010	March	Sign	8

322

2010	February	Bldg	2
2010	February	Dump	3
2010	February	Elec	14
2010	February	Fence	1
2010	February	Gar	3
2010	February	HVAC	16
2010	February	Impr	82
2010	February	Plum	21
2010	February	Roof	3
2010	February	Sign	7

132

2010	January	Bldg	8
2010	January	Dump	5
2010	January	Elec	11
2010	January	Fence	2
2010	January	HVAC	11
2010	January	Impr	48
2010	January	Plum	20
2010	January	POD	1
2010	January	Roof	7
2010	January	Sign	3

117

2009	December	Bldg	15
2009	December	Dump	6
2009	December	Elec	20
2009	December	Fence	4
2009	December	Gar	4
2009	December	HVAC	16
2009	December	Impr	107
2009	December	Plum	25
2009	December	POD	2
2009	December	Roof	11
2009	December	Sign	3

213

2009	November	Bldg	6
2009	November	Dump	8
2009	November	Elec	21
2009	November	Fence	8
2009	November	Gar	4
2009	November	HVAC	17
2009	November	Impr	168
2009	November	Plum	19
2009	November	Roof	72
2009	November	Sign	5

328

2009	October	Bldg	9
2009	October	Dump	5
2009	October	Elec	19
2009	October	Fence	7
2009	October	Gar	8
2009	October	HVAC	18
2009	October	Impr	209
2009	October	Plum	28
2009	October	POD	2
2009	October	Roof	69
2009	October	Sign	5

378

2009	September	Bldg	5
2009	September	Dump	6
2009	September	Elec	28
2009	September	Fence	15
2009	September	Gar	1
2009	September	HVAC	13
2009	September	Impr	286
2009	September	Plum	31
2009	September	POD	2
2009	September	Roof	89
2009	September	Sign	2

459

Permit Detail

Total Permits Issued **4538**

Robert J. Lovero
Mayor



Collections and
Licensing

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 749-8910
www.berwyn-il.gov

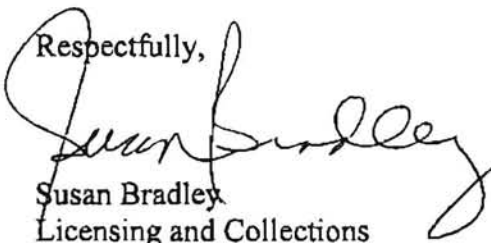
October 6, 2010

Honorable Mayor Robert J. Lovero
And Members of the City Council
Berwyn City Hall
Berwyn, Illinois 60402

Dear Mayor and Council Members:

Attached please find a list of business licenses which were issued by the Collection and Licensing Department during the month of September, 2010. Included are; storefronts, phone use only businesses as well as out of town contractors. I am also providing a list of businesses that have applied for a license with a current status of Application Review/Pending as well as businesses waiting for inspections with a status of Inspections Pending.

Respectfully,


Susan Bradley
Licensing and Collections

sb

BERWYN BUSINESSES - LICENSED IN SEPTEMBER, 2010 (STOREFRONTS)

<u>NAME</u>	<u>ADDRESS</u>	<u>CORP. NAME OR OWNERS NAME</u>	<u>COMMENTS</u>
J & C Travel, Inc.	6536 W. Cermak Road	J & C Travel, Inc.	Travel Agency (708) 431-0091
Caffe Palermo (Business owner returned to Berwyn and re-opened his restaurant/coffee shop)	6510 W. Ogden Avenue	Vito Brancato	Restaurant/Coffee Shop (312) 388-8486
K Martial Art, Inc.	6969 W. Ogden Avenue	Kwang T. Lee	Martial Arts Studio (708) 317-5122
Millennium Cuts 2 (new owner)	2144 S. Oak Park Avenue	Adalberto Raygoza	Barber Shop (708) 484-2244

BERWYN BUSINESSES - LICENSED IN SEPTEMBER, 2010 (PHONE USE ONLY)

<u>NAME</u>	<u>ADDRESS</u>	<u>CORP. NAME OR OWNERS NAME</u>	<u>COMMENTS</u>
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NAME

ADDRESS

CORP. NAME OR OWNERS NAME

COMMENTS

NONE

**BUSINESS LICENSES ISSUED FOR SEPTEMBER, 2010
OUT OF TOWN CONTRACTORS**

Page 1

<u>NAME</u>	<u>ADDRESS</u>	<u>CORP. NAME OR OWNERS NAME</u>	<u>COMMENTS</u>
A. R. Lass Construction	723 Algonquin, Arlington Hgts	A. R. Lass Construction Serv.Inc.	Contractor (Carpentry)
Anderlock Corporation	24120 Chicago, Plainfield	Anderlock Corporation	Contractor (Carpentry)
Brookwood Builders, Inc.	801 Circle, Forest Park	Brookwood Builders, Inc.	Contractor (Carpentry)
Beta Electric, Inc.	6622 Kilpatrick, Lincolnwood	Beta Electric, Inc.	Contractor (Electric)
Electrical Power Service	1411 Winnemac, Chicago	Electrical Power Service	Contractor (Electric)
Lig Electric, Inc.	222 Jessica, Wood Dale	Lig Electric, Inc.	Contractor (Electric)
KEM Environmental	9624 Cicero, Oak Lawn	Kem Environmental Solutions,LLC	Contractor (Environmental)
D & M Millennium Constr.	4740 Cumberland, Chicago	D & M Millennium Constr. Co.	Contractor (General)
Masterbath, Inc.	9 Crystal, Crystal Lake	Masterbath, Inc.	Contractor (General)
McCon Building Corp	1059 Circle, Highland	McCon Building Corporation	Contractor (General)
Mulhern Builders, LLC	282 Mapelwood, Riverside	Mulhern Builders, LLC	Contractor (General)
Stonbrit, LLC	1045 Dell, Northbrook	Stonbrit, LLC	Contractor (General)
Prime Masonry, Inc.	3120 Cicero, Chicago	Prime Masonry, Inc.	Contractor (Masonry)
Fiorenzo Plumbing, Co.	6101 Nassau, Chicago	Fiorenzo Plumbing, Co.	Contractor (Plumbing)
Trusty Plumbing, Inc.	9840 ElCameno, Orland Park	Trusty Plumbing, Inc.	Contractor (Plumbing)
Apex Exteriors, Inc.	1655 Shanahan, South Elgin	Apex Exteriors, Inc.	Contractor (Roofing)
Brady Home Repair	3103 225th, Sauk, Village	Brady Home Repair	Contractor (Roofing)
Huber Roofing Co.	6159 63rd, Chicago	Huber Roofing Company	Contractor (Roofing)
Tony Roofing & Constr	4564 Melvinna, Chicago	Tony Roofing & Construction	Contractor (Roofing)
Triplois Roofing, Inc.	7231 90th, Bridgeview	Triplois Roofing, Inc.	Contractor (Roofing)
Establishing Firm			
Foundations	25627 Linden, Monee	Establishing Firm Foundations	Contractor (Waterproofing)
Mark Windows	6485 Newcastle, Chicago	Mark Windows	Contractor (Window & Door)

Application Review

Business Name	Address	Last Update	Phone	ID #
<i>Jessica Rivera-Herrera, CPA, PC</i> 6418 W. Ogden Avenue Berwyn IL 60402		6/22/2010	(708) 393-2342	12338
<i>PCC South Family Health Center</i> 6201 W. Roosevelt Road Berwyn IL 60402		1/22/2010	(708)	12013
<i>Raymond's Tacos and Burritos</i> 6401 W. 34th Street Berwyn IL 60402		7/8/2010	(708)	12365
<i>Virtuous Nights</i> 3243 S. Harlem Avenue Berwyn IL 60402		5/24/2010	(708)	12277
Total Businesses				4

Application Pending

Business	Name	Address	Last Update	Phone	ID #
<i>Andies Investment</i>				(708) 795-2909	12367
6847 W.	Cermak Road	Berwyn IL 60402	7/8/2010		
<i>Lagutappe, LLC</i>				(312) 651-2037	11541
2905 S.	Ridgeland Avenue	Berwyn IL 60402	7/8/2010		
Total Businesses					2

Inspections Pending

Business Name	Address	Last Update	Phone	ID #
<i>Art Studios</i>			(708) 369-6009	12241
1401 S. Harlem Avenue Berwyn	IL 60402	7/9/2010		
<i>Mateo's Bar & Lounge</i>			(708) 788-1372	10587
6513 W. Cermak Road Berwyn	IL 60402	10/4/2010		
<i>Saint Anthony Hospital Doctor's Office</i>			(708) 788-4933	11979
6917 W. Cermak Road Berwyn	IL 60402	1/5/2010		
<i>Salud Y Bienestar, Health & Well Being</i>			(708) 890-7781	12132
6721 W. 26th Street Berwyn	IL 60402	3/31/2010		
<i>Union Arms Company</i>			(708) 646-5605	12366
6340 W. 26th Street Berwyn	IL 60402	8/30/2010		
<i>Vanguard Distribution</i>			(708) 484-2090	11529
2905 S. Ridgeland Avenue Berwyn	IL 60402	6/5/2009		
Total Businesses				6



KS

The City of BERWYN, Illinois Fire Department

FRANK SIMEK, Assistant Chief
708.782.2650 ext 3501

5700 West 26th Street * Berwyn Illinois 60402 0701 * Fax 708.749.6589

September 24, 2010

To: Mayor Robert Lovero
Members of City Council

From: Assistant Chief Frank Simek

RE: Berwyn Firefighters Local 506 Cancer Drive

Ladies and Gentlemen:

Attached is a communication from Berwyn Firefighters Local 506 requesting permission to collect for the American Cancer Society on Saturday October 16, 2010 from 9:00 am. to 12:00 pm.

All of the money raised will go to cancer research. It would be my recommendation that you approve this request.

Respectfully,

Frank Simek
Assistant Chief



**BERWYN
FIRE FIGHTERS UNION**

LOCAL 506

International Association of Fire Fighters

Affiliated with AFL-CIO-CLC

Associated Fire Fighters of Illinois

September, 2010

To: Mayor Lovero and Members of the Berwyn City Council


The Berwyn Fire Fighters of Local 506 would like to conduct a "Pass the Helmet" drive for the American Cancer Society. This would be our second year conducting this drive in the City of Berwyn. Last year we raised over \$4000.00 in one day for the American Cancer Society.

As a member of Berwyn Fire Fighters Association Local 506, I am requesting permission for our Local Fire Fighter's, in conjunction with the Berwyn Fire Department to collect donations at various intersections though out the City of Berwyn.

This will take place on Saturday October 16, 2010 and will go from 9:00 am to 12:00 pm.

Thank you for your consideration in this matter.

Respectfully,


James Michalek
Local 506 Cancer Drive

Cc: Chief Denis O'Halloran



NORTH BERWYN PARK DISTRICT

October 4, 2010

The Honorable Mayor
Robert J Lovero

City Council
City of Berwyn
6700 W. 26th Street
Berwyn, Il 60402

Subject: Halloween Pumpkin Patch

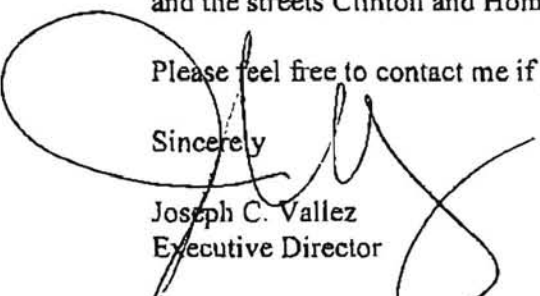
Dear Mayor Lovero and Aldermen:

I respectfully request your approval to close the alley ways surrounding Berwyn gardens park on Saturday, October 30, 2010 for the district's annual Pumpkin Patch Halloween event. This event is attended by over 1000 people from the community.

I request the alleys north and south of Berwyn Gardens Park, from Maple to Grove, and the streets Clinton and Home closed between the alley ways.

Please feel free to contact me if you have any questions regarding this request.

Sincerely



Joseph C. Vallez
Executive Director

Hours-6:00 a.m. to 6:00 p.m.