

ROBERT J. LOVERO  
MAYOR

THOMAS J. PAVLIK  
CITY CLERK

MINUTES  
BERWYN CITY COUNCIL  
DECEMBER 8, 2009

1. The regular meeting of the Berwyn City Council was called to order by Mayor Lovero at 8:00 p.m. Upon the call of the roll, the following responded present: Chapman, Boyajian, Paul, Skryd, Santoy, Polashek, Avila, Laureto.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the safety of our city workers, for the deceased Patricia Esposito, mother-in-law of Firefighter, Carl Reina, Jr., Dennis Wojnarowski, brother of Fire Lieutenant, James Wojnarowski, and Will Drabro, father of Paramedic, Michelle Drabro.
3. The Open Forum portion of the meeting was announced. The Mayor recognized Margo Ward, Director of the Peace Center in Berwyn, who thanked the Mayor for embracing Berwyn and presented gifts to the Mayor and City Council, Joe Council, 1550 Scoville thanked police department's Special Tactical Force for numerous drug busts during the month helping make Berwyn safer, Alderman Chapman invited all to the "Deck the Depot" event on Saturday, December 12, 2009 from 5pm to 9pm, Alderman Skryd thanked all who helped to make the "Miracle on 22<sup>nd</sup>" a successful event.
4. The minutes of the regular City Council and the Committee of the Whole meetings held on November 24, 2009 were submitted. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a voice vote.
5. The bids for the Animal Shelter were submitted. Bids were received from Oak Park Animal Shelter, and a late submission from Dr. Cesar Agustin. Thereafter, Skryd made a motion, seconded by Chapman, to concur and grant permission and authorize the corporate authorities and any other interested party to adjourn to the Conference Room, to open, tabulate, and return same to the Council Chamber for reading. The motion carried by a voice vote.
6. Chapman made a motion, seconded by Avila, to suspend the rules and bring forth the F Agenda. The motion carried by a voice vote.

The Mayor submitted a Resolution regarding the application for the Cook County's Federal Fiscal Year 2007 Justice Assistance Grant in the amount of \$13,498.00. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and **adopt** the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried a unanimous roll call vote.

7. The Mayor submitted a Resolution regarding the Dream Act entitled:  
**A Resolution of the Berwyn City Council in defense of Rigoberto Padilla and other Immigrant Students who would benefit from the Dream Act.**  
The Mayor then read the Resolution into record. Thereafter, Avila made a motion, seconded by Boyajian, to concur and **adopt** the Resolution as presented. The motion carried by a unanimous roll call vote. Thereafter, the Mayor recognized Rigoberto Padilla and presented him with a copy of the Resolution.
8. The Mayor submitted a Proclamation regarding the 50<sup>th</sup> Anniversary of Morton West High School. Thereafter, Skryd made a motion, seconded by Boyajian, to concur and **adopt** the Proclamation as presented. The motion carried by a unanimous roll call vote.
9. The Mayor submitted a communication regarding National Night Out with Berwyn finishing 12<sup>th</sup> in the nation and the top finisher in the State of Illinois. Thereafter, Skryd made a motion, seconded by Polashek, to accept the matter as informational. The motion carried by a voice vote. Thereafter, the Mayor recognized representatives from Target who presented a plaque to the City.
10. The Berwyn Development Corporation submitted a communication regarding the application for a Commercial Loan from Awesome Pest Control/Cabin Fever, 3202 Grove Avenue. The Mayor recognized Anthony Griffin of the Berwyn Development Corporation who explained the loan program. Thereafter, Polashek made a motion, seconded by Chapman, to concur and approve the loan request in an amount not to exceed \$35,000. The motion carried by a unanimous roll call vote.
11. The Clerk submitted a communication with an attached ordinance entitled:  
**AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF BERWYN, ILLINOIS, REVISING AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY OF BERWYN DEALING WITH SUBJECTS**

**EMBRACED IN SUCH CODE OF ORDINANCES AND DECLARING AN EMERGENCY**

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

12. The bid tabulations for the Animal Shelter were returned for reading. Animal Care League submitted a bid in the amount of \$70,000. A late submission from Dr. Cesar Agustin was also noted. Thereafter, Chapman made a motion, seconded by Boyajian, to defer and refer to the City Administrator. The motion carried by a voice vote.
13. The Zoning Board of Appeals submitted a Resolution/Ordinance regarding property of M. Savic, 2513 Euclid. Thereafter, Paul made a motion, seconded by Chapman, to concur and **adopt** the Resolution/Ordinance as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
14. Alderman Skryd submitted a communication regarding the 7<sup>th</sup> Annual ILLCF, Illinois Legislative Latino Caucus Foundation Conference. Thereafter, Skryd made a motion, seconded by Avila, to accept the matter as informational. The motion carried by a voice vote.
15. Alderman Skryd submitted a request for school supplies from Berwyn Teacher's Closet, requesting free school supplies to teachers for use in the classroom. Thereafter, Skryd made a motion, seconded by Laureto, to accept the matter as informational and forward to the Director of Technology to be posted on the city's website. The motion carried by a voice vote.
16. Alderman Avila submitted a communication regarding a "Do Not Park" sign at the garage driveway at 1601 Grove Avenue. Thereafter, Avila made a motion, seconded by Skryd, to refer the matter to the Traffic Engineer. The motion carried by a voice vote.
17. Alderman Avila submitted a communication requesting a Stop Sign Study for 16<sup>th</sup> St. and Grove Avenue. Thereafter, Avila made a motion, seconded by Skryd, to refer the matter to the Traffic Engineer and the Parking and Traffic Committee. The motion carried by a voice vote.
18. Alderman Laureto submitted a communication regarding a Resident Only Parking by Prairie Oak School. Thereafter, Laureto made a motion, seconded by Avila, to refer the matter to the Law Department to redraft an

ordinance addressing the matter. The motion carried by a unanimous roll call vote.

19. The Police Pension Board submitted a communication regarding the City of Berwyn Police Pension Fund. Thereafter, Chapman made a motion, seconded by Skryd, to accept as informational and refer the matter to Budget Committee and the Finance Director. The motion carried by a voice vote.
20. A deferred communication from the City Administrator regarding the recommendation of a Cleaning Service. Thereafter, Chapman made a motion, seconded by Skryd, to refer the matter to the Mayor's office. The motion carried by a voice vote.
21. The City Administrator submitted a communication regarding Workers' Compensation and General Liability, Third Party Administrator. Thereafter, Chapman made a motion, seconded by Boyajian, to concur, waive the bidding process and to allow the broker to obtain quotes. The motion carried by a voice vote. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve the contract with Underwriters Safety and Claims as Third Party Administrator. The motion carried by a unanimous roll call vote.
22. The City Administrator submitted a communication regarding Workers' Compensation Insurance (Workers' Compensation above \$600,000). Thereafter, Chapman made a motion, seconded by Skryd, to concur and waive the bidding process and allow the broker to secure bids. The motion carried by a voice vote. Thereafter, Chapman made a motion, seconded by Avila, to concur and to contract with Safety National, the SIR at \$650,000. The motion carried by a unanimous roll call vote.
23. The City Administrator submitted a communication regarding the renewal of General Liability Insurance (General Liability Coverage over \$750,000 and up to \$9,000,000). Thereafter, Chapman made a motion, seconded by Skryd, to concur and waive the bidding process and to allow the broker to secure bids. The motion carried by a voice vote. Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve Lexington Insurance at SIR \$750,000. The motion carried by a unanimous roll call vote.
24. The City Attorney submitted a communication regarding the settlement of Case No. 09CH08056 (Circuit Court of Cook County) in the amount of \$45,000.00. Thereafter, Chapman made a motion, seconded by Boyajian,

to concur and approve for payment as submitted. The motion carried by a unanimous roll call vote.

25. The Finance Director submitted a communication regarding the 2009 Tax Levy. Thereafter, Chapman made a motion, seconded by Skryd, to concur and grant permission to post and publish, Truth in Taxation notice and to defer and grant permission to hold a Special City Council meeting on December 28, 2009 and refer the matter to the Committee of the Whole on December 22, 2009 and to the Public Hearing on December 28, 2009. The motion carried by a unanimous roll call vote.

Thereafter, an ordinance was submitted entitled:

**AN ORDINANCE PROVIDING FOR THE PARTIAL ABATEMENT OF THE 2009 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2001, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

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

26. The Finance Director submitted an ordinance entitled:  
**AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2009 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2002A, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS.**

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

27. The Finance Director submitted an ordinance entitled:  
**AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2009 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2002B, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

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

28. The Finance Director submitted an ordinance entitled:  
**AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2009 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE**

**BONDS, SERIES 2007A, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

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

29. The Finance Director submitted an ordinance entitled:  
**AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2009 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2007B, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**  
Thereafter, Chapman made a motion, seconded by Boyajian, to concur and **adopt** the ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
30. The Finance Director submitted an ordinance entitled:  
**AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2009 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2004, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**  
Thereafter, Chapman made a motion, seconded by Skryd, to concur and **adopt** the ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
31. Chapman made a motion, seconded by Avila, to defer and refer the 2009 Tax Levy to the Public Hearing and Special City Council to be held on December 28, 2009 and to also refer to the Committee of the Whole on December 28, 2009, where Finance Director, John Wysocki will be available for discussion. The motion carried by a voice vote.
32. The Finance Director submitted a communication regarding Bond Sale and reported that as of December 3, 2009, the City sold \$7.72 million of bonds with a scheduled closing date of December 30, 2009 from the Series 1999 bonds in which the interest payment resulted in a net savings to the City of \$376,000 over the life of the bonds. Thereafter, Chapman made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
33. The Finance Director submitted a communication regarding the 2009 Budget Amendment with an attached ordinance entitled:

**A SUPPLEMENTAL GENERAL FUND APPROPRIATION ORDINANCE FOR THE 2009 FISCAL YEAR IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

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

34. The Finance Director submitted an ordinance entitled:  
**A SUPPLEMENTAL CDBG APPROPRIATION ORDINANCE FOR THE 2009 FISCAL YEAR IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

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

35. The Traffic Engineer submitted a communication regarding City-wide Parking Permit Fees and Recommendations. Thereafter, the Mayor recognized Nicole Campbell, Traffic Engineer who requested the communication be amended per Vacin Fairway, item (2), " 2 free passenger permits with the purchase of 1 permit" be only for Cermak Road businesses and limited to 1 per business. After discussion, Boyajian made a motion, to defer the matter for two (2) weeks. After further discussion, the motion was withdrawn and Chapman made a motion, seconded by Avila, to concur and approve as amended and to also amend Loading Zones purposed rate from \$75.00 to \$100.00 per year. The motion carried by a unanimous roll call vote.

36. The Traffic Engineer submitted a communication regarding Depot Area Parking Meter Relocation. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve as submitted. The motion carried by a unanimous roll call vote.

37. The Public Works director and Traffic Engineer submitted a joint communication requesting to seek bids for Replacement of Depot Area Parking and Street Signs. Thereafter, Chapman made a motion, seconded by Avila, to concur and approve as submitted. The motion carried by a unanimous roll call vote.

38. Consent Agenda items K-1 through K-4 were submitted.  
K-1-Budget Chair-Payroll for November 25, 2009 in the amount of \$820,139.79  
K-2-Budget Chair-Payables for December 8, 2009 in the amount of

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\$2,203,946.50

K-3-Collection and Licensing submitted the business licenses issued in November, 2009

K-4-The Building Director submitted the building permit issued in November, 2009

Thereafter, Skryd made a motion, seconded by Laureto, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.

39. The Mayor called for a Committee of the Whole meeting for Tuesday, December 22, 2009 at 6:00 p.m.
40. Alderman Chapman announced a Budget meeting, as previously called, for Monday, December 14, 2009 at 6:30 p.m.
41. Alderman Boyajian announced a Public Works meeting, as previously called, for Monday, December 14, 2009 at 4:30 p.m.
42. Alderman Paul announced a Parking and Traffic meeting, as previously called, for Monday, December 14, 2009 at 5:30 p.m.
43. Alderman Skryd called for an Administration Committee meeting for Thursday, December 17, 2009 at 6:00 p.m.
44. There being no further business to come before the meeting, same was, after a motion by Laureto, seconded by Avila, to adjourn at the hour of 8:55 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk