

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

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

**MINUTES**  
**BERWYN CITY COUNCIL MEETING**  
**MARCH 24, 2009**

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:16 p.m. Upon the call of the roll, the following responded present: Ramos, Skryd, Day, Phelan, Lovero, Erickson. Absent: Chapman, Weiner. Thereafter, Lovero made a motion, seconded by Skryd, to excuse Aldermen Chapman and Weiner. The motion carried by a voice vote.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the deceased Mayor of Norridge, the safety of our armed forces, police, firefighters, and paramedics.
3. The Open Forum portion of the meeting was announced. The Mayor recognized Michael Slinkman, property owner in Berwyn who commented on item I-5, Alderman Phelan's communication regarding the Crime-Free Housing ordinance, stating that he wrote a check for over \$5,500 for individual per unit license fees and that it was a financial burden and is asking for the repeal or modification of the ordinance-The Mayor read a statement regarding the Stimulus Package and Stimulus Grants and supplied a copy for the record.

Alderman Chapman present at 8:25 p.m.

4. The minutes of the Berwyn City Council and the Committee of the Whole meetings for March 10, 2009 were presented. Lovero made a motion, seconded by Chapman, to reconsider item #27 of the Berwyn City Council meeting. The motion carried. Item #27 was agenda item K-5, Handicap sign request for P. Pabon, 1514 Kenilworth Avenue with a recommendation to deny. Thereafter, Lovero made a motion, seconded by Skryd, to approve the Handicap sign. The motion carried by a unanimous roll call vote with Weiner excused. Thereafter, Phelan made a motion, seconded by Chapman, to reconsider item #15 of the March 10, 2009 City Council meeting. The motion carried by a voice vote. Thereafter, Phelan made a motion, seconded by Ramos, to return the inspection fees to the Emmanuel Bible Church in the amount of \$5,535. After discussion the motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Phelan, Lovero. Nays: Day, Erickson. Excused: Weiner. Thereafter, Erickson made a

motion, seconded by Skryd, to concur and approve the minutes of the Berwyn City Council as amended and the Committee of the Whole minutes as submitted. The motion carried by a voice vote.

5. The bids for the Berwyn Public Library replacement of Chiller Condenser Bundles were submitted. Thereafter, Skryd made a motion, seconded by Chapman, to authorize the Corporate Counsel, and any other interested parties to adjourn to the Conference room, to open, tabulate and return to the Council Chambers for reading. The motion carried by a voice vote.
6. Erickson made a motion, seconded by Lovero, to suspend the rules and bring forth items I-7, I-8, J-2 as germane and item J-3. The motion carried by a voice vote.
7. The Fire and Police Board of Commissioners submitted a communication regarding the promotion of Raymond Fron to the rank of Lieutenant, replacing the retired Lieutenant Dennis Madden. Thereafter, Clerk Pavlik administered the Oath of Office with congratulations. Thereafter, Erickson made a motion, seconded by Lovero, to concur and approve the appointment. The motion was carried by a voice vote.
8. The Fire and Police Board of Commissioners submitted a communication regarding the firefighter appointment of Robert McCorry, also item J-2 as germane, the promotion of Joseph Lotito to Engineer. Clerk Pavlik administered the Oath of Office with congratulations. Thereafter, Erickson made a motion, seconded by Lovero, to concur and approve the appointments as submitted and to note the retirement of Lieutenant Dennis Madden after 29 years of dedicated service to the Berwyn Fire Department. The motion carried by a voice vote.
9. The Police Chief submitted a communication regarding the swearing in of Probationary Patrol Officer and lateral hire, Robert Trofimchuk. Clerk Pavlik administered the Oath of Office with congratulations. Thereafter, Erickson made a motion, seconded by Lovero, to concur in the appointment. The motion carried by a voice vote.
10. Lovero made a motion, seconded by Erickson, to suspend the rules and bring forth item F-7. The motion carried. Item F-7 is a communication from the Mayor regarding an Intergovernmental Agreement with the North Berwyn Park District regarding \$100,000 requested funding for repair and preparation to open all pools for the 2009 season. Thereafter, Lovero made a motion, seconded by Erickson, to recuse Alderman Phelan from the vote. The motion carried. Thereafter, Erickson made a motion, seconded by Lovero, to concur and approve the payment in an amount not to exceed

\$100,000. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Lovero, Erickson. Nays: none. Excused: Weiner. Abstained: Phelan

11. Skryd made a motion, seconded by Day, to suspend the rules and bring forth item J-9. The motion carried. Item J-9 is a communication from the Finance director regarding the 2008 Preliminary Financial results. Thereafter, the Mayor recognized Finance director, John Wysocki, who reviewed, see attached item J-9 as germane. Thereafter, Erickson made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
12. Day made a motion, seconded by Skryd, to suspend the rules and bring forth item F-2 and mark as germane to F-1. The motion carried. F-2 is a communication from the Mayor regarding the 2009 budget. Thereafter, Alderman Day made a motion, to approve the budget as submitted. The motion failed for lack of a second. After discussion, Lovero made a motion, seconded by Skryd, to approve as amended, eliminating the Street Supervisor from the budget and adding 1 police officer. The Mayor then requested the salary figures on the Street Superintendent. Wysocki reported that for one half year the amount was \$56,320 and that the figure for 1 police officer for one half a year beginning July 1<sup>st</sup> was approximately \$31,684 with a net savings of a little over \$25,000. Thereafter, the motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Lovero. Nays: Phelan, Erickson. Excused: Weiner.
13. Lovero made a motion, seconded by Skryd, to suspend the rules and bring forth item J-6. The motion carried. Item J-6 is a communication from the Finance Director with an attached ordinance entitled:  
**THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS FOR THE FISCAL YEAR 2009**  
After discussion, Lovero made a motion, seconded by Day, to concur and **adopt** the ordinance as amended to include summary pages 9, 10, and 12 of the budget document and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Lovero. Nays: Phelan, Erickson. Excused: Weiner.  
Final version of the 2009 Budget may be accessed on line at [www.berwyn.berwyn-il.gov/pdf/Clerk/Proposed\\_2009\\_Budget-FINAL.pdf](http://www.berwyn.berwyn-il.gov/pdf/Clerk/Proposed_2009_Budget-FINAL.pdf)
14. The Mayor submitted a Proclamation proclaiming April 24, 2009 as Arbor Day in the City of Berwyn. Thereafter, Erickson made a motion, seconded

by Ramos, to concur and **adopt** the Proclamation as presented. The motion carried by a voice vote.

15. The Mayor submitted a communication regarding the Firemen's Pension Board requesting to reflect accurately said members and to request the removal of Mike Farnsworth, who was replaced in 2008. Thereafter, Erickson made a motion, seconded by Skryd, to concur. The motion carried by a voice vote.
16. The Mayor submitted a communication regarding Liquor License changes. After discussion, Erickson made a motion, seconded by Lovero, to concur and refer the matter to the Law department to amend the ordinance. The motion carried by the following roll call: Yeas: Chapman, Day, Phelan, Lovero, Erickson. Nays: Ramos, Skryd. Excused: Weiner.
17. The Mayor submitted a communication regarding Zoning Board Variation request for a car wash at the Citgo Station, 16<sup>th</sup> Street and Ridgeland Avenue, requesting that the matter be reconsidered and referred to the Committee of the Whole. Thereafter, Erickson made a motion, seconded by Phelan, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
18. The Clerk submitted a communication requesting the approval of Closed Committee of the Whole minutes of December 23, 2008, January 13, 27, and February 10, 25, 2009, as reviewed in Closed Session on March 10, 2009. Thereafter, Erickson made a motion, seconded by Lovero, to concur and approve as submitted. The motion carried by a voice vote.
19. A deferred communication from the Zoning Board of Appeals regarding a Resolution/Ordinance for the Bushouse & Restored Properties, Inc., 3133-3137-3441 Oak Park Avenue. Thereafter, Skryd made a motion, seconded by Phelan, to concur and **adopt** the Resolution/Ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote with Weiner excused.
20. The bid tabulations for the Berwyn Public Library Replacement of Chiller Condenser Bundles were returned for public reading. The following bidders with amounts were as follows: Complete Temperature Systems, \$20,090, International Piping Systems, Inc, \$26,575, Staton Mechanical, \$24,900, Voris Mechanical, Inc., \$29,630, McDonough Mechanical Services, \$33,470, Westside Mechanical Corp., No bid. It was noted that only 1 bid Voris Mechanical supplied a bond check. Thereafter, Chapman made a motion, seconded by Erickson, to refer the matter to the Library Director, Library

Maintenance, and the Building director for review and recommendation. The motion carried by a voice vote.

21. A deferred communication from the Berwyn Historic Preservation Commission regarding the nomination of Marik & Sons building, 6507 W. Cermak Road as an Historic Landmark. Thereafter, Skryd made a motion, seconded by Erickson, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
22. Alderman Ramos submitted a communication regarding Stop Signs at 33<sup>rd</sup> Street and Clarence Avenue that were previously referred to the Traffic Engineer. After discussion, Ramos made a motion, seconded by Skryd, to suspend the rules and bring forth item J-14 as germane. The motion carried by a voice vote. Item J-14 is a communication from the Law department with an attached ordinance. Thereafter, Ramos made a motion, seconded by Skryd, to concur and adopt as presented. After discussion, the motion and second were withdrawn. After further discussion, Ramos made a motion, seconded by Chapman, to defer the matter for 2 weeks. The motion carried by a voice vote.
23. Alderman Ramos submitted a communication regarding Emmanuel Bible Church's request for approval of access to Handicap Ramp. After discussion, Ramos made a motion, seconded by Skryd, to defer the matter for 2 weeks. The motion carried by a voice vote.
24. Alderman Ramos submitted a communication regarding Emmanuel Bible Church's request for approval of alternate plans. Thereafter, Ramos made a motion, seconded by Day, to defer the matter for 2 weeks. The motion carried by a voice vote.
25. Alderman Phelan submitted a communication regarding Crime Fee Multi-Family Housing Ordinance. After discussion, Phelan made a motion, seconded by Ramos, to authorize the Finance director to refund monies collected for Multi-Family Housing ordinance enforcement. On the question, the Mayor recognized Dawn Rinehart, who stated that there are 472 properties affected and 3,368 rental units. After discussion, the motion to concur carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Phelan, Lovero. Nays: Erickson. Excused: Weiner. After further discussion, Phelan made a motion, seconded by Lovero, to authorize the City Collector to stop collecting further funds and return fees for second year compliance. After further discussion, a motion to concur carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Phelan, Lovero. Nays: Erickson. Excused: Weiner. After continued discussion, Phelan made a motion, seconded by Skryd, to repeal the Multi-

Family Housing ordinance. After discussion, the motion and second was amended to refer to the Committee of the Whole. The motion carried by a voice vote.

Thereafter, the Mayor announced a veto of all the actions taken regarding this item at the next City Council meeting.

26. Alderman Phelan submitted a communication regarding 1926 East Avenue and to request the return of the Sewer Roding expense incurred, not to exceed \$400. Thereafter, Phelan made a motion to concur. Thereafter, after discussion, Alderman Phelan stated that he will provide a copy of the Roding bill to determine one half of the expense up to and not to exceed \$400. After further discussion, the motion was withdrawn. Thereafter, Phelan made a motion, seconded by Skryd, to defer the matter for 2 weeks. The motion carried by a voice vote.
27. A deferred communication from the Law department regarding an ordinance entitled:  
**AN ORDINANCE AMENDING CHAPTER 480 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS REGARDING STREET SWEEPING ON WINDSOR AND STANLEY AVENUE**  
Thereafter, Erickson made a motion, seconded by Chapman, 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 with Weiner excused.
28. The Police Chief submitted a communication regarding Morton West Traffic Plan. After discussion, Lovero made a motion, seconded by Skryd, to defer the matter for 2 weeks. The motion carried by a voice vote.
29. The Police Chief submitted a communication regarding Asset Forfeiture Letter, U.S. Department of Justice dated March 11, 2009. Thereafter, Erickson made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
30. The Finance director submitted a communication regarding an Update on the Use of 2008 Bond Proceeds. Thereafter, Erickson made a motion, seconded by Day, to accept the matter as informational. The motion carried by a voice vote.
31. Erickson made a motion, seconded by Lovero, to continue the City Council meeting beyond 10:00 p.m. per city ordinance.

32. The Finance director submitted a communication regarding CCMSI 2008 excess claims. Thereafter, Skryd made a motion, seconded by Day, to accept the matter as informational. The motion carried by a voice vote.
33. The Public Works director submitted a communication requesting Landscape Maintenance service RFP for the monthly landscape service for Cermak Road, Depot District, and Ogden TIF area. Thereafter, Erickson made a motion, seconded by Skryd, to concur and grant permission. The motion carried by a unanimous roll call vote with Weiner excused.
34. The Law department submitted a communication for 7135 W. Roosevelt Road, Yard Depth Variance with an attached ordinance entitled:  
**AN ORDINANCE GRANTING A REAR YARD DEPTH VARIANCE FOR COMMERCIAL PROPERTY IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**  
Thereafter, Erickson made a motion, seconded by Lovero, to concur and **adopt** the ordinance as presented. The motion carried by a unanimous roll call vote with Weiner excused.
35. The Law department submitted a communication with an attached ordinance regarding LaNotte Handicap Ramp. After discussion, Chapman made a motion, seconded by Skryd, to defer the matter for 2 weeks. The motion carried by a voice vote.
36. The Law department submitted a Resolution entitled:  
**A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY COMMONLY KNOWN AS 6631 WEST 26<sup>TH</sup> STREET IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**  
Thereafter, Skryd made a motion, seconded by Erickson, to concur and **adopt** the Resolution as presented. The motion carried by the following roll call: Yeas: Chapman, Skryd, Day, Lovero, Erickson. Nays: Ramos, Phelan. Excused: Weiner.
37. Consent Agenda-K-1 through K-5  
K-1-The Budget Chairman submitted the payroll for March 18, 2009 in the total amount of \$884,940.82  
K-2-The Budget Chairman submitted the payables for March 24, 2009 in total amount of \$1,863,787.77  
K-3-Erickson-handicap request for N. Ivy, 1429 Clarence-Approve  
K-4-Girl Scouts N. W. Indiana-extend cookie sales  
K-5-American Cancer Society-Tag Day-May 2, 2009  
Erickson by Ramos to concur and approve by Omnibus Vote Designation

BERWYN CITY COUNCIL  
MARCH 24, 2009

38. The Mayor called a Committee of the Whole meeting for Tuesday, April 14, 2009 at 7:00 p.m. for referrals.
39. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Skryd, to adjourn at the hour of 10:08 p.m. The motion carried by a voice vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk