

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 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 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 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 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, Il., \$15,175, R.G. Smith Equipment Co., DesPlaines, Il., \$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.
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 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

I