

ROBERT J. LOVERO
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
DECEMBER 14, 2010

1. The regular meeting of the Berwyn City Council was called to order by Mayor Lovero at 8:01 p.m. Upon the call of the roll, the following responded present: Chapman, Boyajian, Paul, Skryd, Santoy, Avila, Laureto. Absent: Polashek. Thereafter, Boyajian, made a motion, seconded by Skryd, to excuse Alderman Polashek. The motion carried by a voice vote.
2. The Pledge of Allegiance was recited and a moment of silence was observed the deceased George Kazarian, husband of Blight Supervisor, Mary DelMedico, deceased retired Fire Lieutenant, Robert P. Rizman, deceased Josephine Falco, grandmother of Police Tactical Officer Guy Papa and mother of former Fire and Police Commissioner, Mike Falco and for 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 resident Kate Walzak, 3533 Clinton who commented on times for public hearings and the possibility of having electronic communication "e-mail blasts" for the electronic feed back via city website.
4. The minutes of the regular City Council meeting, and the Committee of the Whole, for November 23, 2010 were submitted. Thereafter, Avila made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a voice vote.
5. Chapman made a motion seconded by Skryd to suspend the rules and bring forth items F-1 and F-2. The motion carried by a voice vote. Item F-1 is a proclamation from the Mayor honoring, Joseph J. Lanzillotti, as Man of the Year. Thereafter, Skryd made a motion, seconded by Avila, to concur and **adopt** the proclamation as presented. The motion carried by a voice vote. Thereafter, the mayor presented the proclamation to former Mayor Joseph Lanzillotti and congratulations was extended by all.
6. The Mayor submitted a proclamation honoring the Heritage Boy's 8th Grade Basketball Team. Thereafter, Boyajian made a motion, seconded by Skryd, to concur and **adopt** the proclamation as presented. The motion carried by a voice vote. Thereafter, the mayor recognized the members of the team.

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7. The Fire Chief submitted a communication requesting the opening of bids for RFP for demolition project at 6619 w. 16th St. and 1535 Clarence. Thereafter, Chapman made a motion, seconded by Avila, to concur and grant permission for the corporate authorities and any other interested parties to proceed to the Conference room to open, tabulate, and return same for reading. The motion carried by a voice vote.
8. The Township Supervisor submitted a communication requesting the formation of an ad hoc committee to look into involvement, and feasibility of a one day hazardous waste collection event. Thereafter, Chapman made a motion, seconded by Skryd, to add a member of the police department and refer the matter to the Mayor's office. The motion carried by a voice vote.
9. The Berwyn Development Corporation submitted a request for Commercial Loan Approval, for restaurant to be known Culver's, 6929-49 Roosevelt Road. Thereafter, the Mayor recognized Anthony Griffin, Executive Director of the Berwyn Development Corporation who reviewed same. Thereafter, Laureto made a motion, seconded by Avila, to concur and approve in an amount not to exceed \$305,000. The motion carried by a unanimous roll call vote.
10. The City Clerk submitted a communication regarding the 2011 City Council meetings and Holiday schedule. Thereafter, Boyajian made a motion, seconded by Skryd, to concur and approve as submitted and to authorize the Clerk to post and publish same. The motion carried by a unanimous roll call vote.
11. The Mayor submitted a communication from the Committee of the Whole regarding Let's Play, Inc., 6237 W. Ogden Avenue with an attached recommendation from the Zoning Board of Appeals. Thereafter, Chapman made a motion, seconded by Boyajian, to defer generally. After discussion, the motion was withdrawn. Thereafter, Boyajian made a motion, seconded Chapman, to deny the request. The motion carried by a unanimous roll call vote.
12. The Parking and Traffic Committee submitted a communication regarding referral item #17 of June 23, 2009, regarding parking study of 3400 block of Cuyler Avenue. Thereafter, Paul made a motion, seconded by Boyajian, to concur and remove the matter from the referral list and refer to Alderman Boyajian. The motion carried by a voice vote.

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13. The Parking and Traffic Committee submitted a communication regarding referral item #18 of June 9, 2009, Traffic Safety/One Way Streets. Thereafter, Paul made a motion, seconded by Laureto, to deny the request. The motion carried by a voice vote with Skryd voicing a contrary nay.
14. The Parking and Traffic Committee submitted a communication regarding referral item #25 of September 28, 2010, for School District Special Visitor Parking Passes. Thereafter, Paul made a motion, seconded by Skryd, to accept the matter as informational.
15. The Parking and Traffic Committee submitted a communication regarding referral item #10 of October 26, 2010, Regulatory Requirements for Municipal Traffic Signs. Thereafter, Paul made a motion, seconded by Boyajian, to concur and accept the matter as informational and remove the item from the referral list. The motion carried by a voice vote.
16. The Parking and Traffic Committee submitted a communication regarding referral item #10 of November 9, 2010, Ordinance Implementing a Program to Charge Mitigation Rates for Emergency Service. Thereafter, Skryd made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole and remove from referral list. The motion carried by a voice vote.
17. The Public Works Committee submitted a communication regarding matters discussed at the December 6, 2010 committee meeting. Topics included Overall Winter Preparedness, Household Hazardous Waste Collection, and Storm Water Management. Thereafter, Boyajian made a motion, seconded by Skryd, to accept the matter as informational and remove items from referral list. The motion carried by a voice vote.
18. The City Attorney submitted a communication along with an ordinance entitled:
AN ORDINANCE AMENDING THE TRAFFIC CODE OF THE CITY OF BERWYN REGARDING VEHICLE SEIZURE AND IMPOUNDMENT
Thereafter, Chapman made a motion, seconded by Avila, 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.
19. The City Attorney submitted a communication requesting settlement of Case No.10-CV-01362. Thereafter, Chapman made a motion, seconded by Boyajian, to defer the matter for two (2) weeks. The motion carried by a voice vote.

20. The City Attorney submitted a communication requesting settlement of Case No.10-CV-3112 in the amount of \$28,000. Thereafter, Chapman made motion, seconded by Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote.
21. The City Attorney submitted a communication requesting settlement of Claim No. GC2010778454. Thereafter, Chapman made a motion, seconded by Boyajian, to defer the matter for two (2) weeks. The motion carried by a voice vote.
22. The Finance Director submitted a communication regarding the Internal Service Fund. Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
23. The Finance Director submitted a communication regarding the Transfer from the Debt Service Fund along with an ordinance entitled:
AN ORDINANCE PROVIDING FOR THE TRAFER OF FUNDS FROM THE DEBT SERVICE FUND TO THE GENERAL FUND AND INTERNAL SERVICE FUND OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
Thereafter, Chapman made a motion, seconded by Avila, to concur and adopt the ordinance and presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
24. The Finance Director submitted a communication regarding the 2010 Budget Amendment along with an ordinance entitled:
A SUPPLEMENTAL GENERAL FUND APPROPRIATION ORDINANCE FOR THE 2010 FISCAL YEAR IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
Thereafter, Skryd made a motion, seconded by Chapman, to concur and **adopt** the ordinance and presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Boyajian, Skryd, Santoy, Avila, Laureto. Nays: Paul.
25. The Finance Director submitted a communication along with an attached ordinance entitled:
A SUPPLEMENTAL MOTOR FUEL TAX APPROPRIATION ORDINANCE FOR THE 2010 FISCAL YEAR IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
Thereafter, Chapman made a motion, seconded by Skryd, to concur and **adopt** the ordinance and 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 a communication along with an attached ordinance entitled:

A SUPPLEMENTAL DEBT SERVICE FUND APPROPRIATION ORDINANCE FOR THE 2010 FISCAL YEAR IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Skryd made a motion, seconded by Avila, to concur and **adopt** the ordinance and 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 a communication along with an attached ordinance entitled:

A SUPPLEMENTAL CERMAK TIF APPROPRIATION ORDINANCE FOR THE 2010 FISCAL YEAR IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Chapman made a motion, seconded by Skryd, to concur and **adopt** the ordinance and 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 a communication regarding an Amendment to the Cafeteria Plan. Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a unanimous roll call vote.

29. The Finance Director submitted a communication regarding 2010 Tax Levy Ordinance along with an ordinance entitled:

AN ORDINANCE LEVYING TAXES FOR GENERAL CORPORATE AND SPECIAL PURPOSES FOR THE TAX YEAR 2010, FISCAL YEAR BEGINNING JANUARY 1, 2011 AND ENDING DECEMBER 31, 2011 FOR THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Chapman, made a motion, seconded by Skryd, to concur and **adopt** the ordinance and presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Boyajian, Skryd, Santoy, Avila, Laureto. Nays: Paul.

30. The Finance Director submitted a communication regarding 2010 Tax Levy Abatement ordinance entitled:

AN ORDINANCE PROVIDING FOR THE PARTIAL ABATEMENT OF THE 2010 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 and presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

31. The Finance Director submitted a communication regarding 2010 Tax Levy Abatement ordinance entitled:

AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2010 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2002A, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

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

32. The Finance Director submitted a communication regarding 2010 Tax Levy Abatement ordinance entitled:

AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2010 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 Boyajian, to concur and **adopt** the ordinance and presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

33. The Finance Director submitted a communication regarding 2010 Tax Levy Abatement ordinance entitled:

AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2010 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2004, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Skryd, made a motion, seconded by Avila, to concur and **adopt** the ordinance and 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 a communication regarding 2010 Tax Levy Abatement ordinance entitled:

AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2010 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 and presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

35. The Finance Director submitted a communication regarding 2010 Tax Levy Abatement ordinance entitled:

AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2010 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2007B, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

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

36. The Finance Director submitted a communication regarding 2010 Tax Levy Abatement ordinance entitled:

AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2010 TAX LEVY FOR THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2010, OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

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

37. The Police Chief submitted a promotion request for one (1) Police Sergeant. Thereafter, Boyajian made a motion, seconded by Chapman, to concur and grant permission to promote one (1) sergeant. The motion carried by a unanimous roll call vote.

38. The Police Chief submitted a communication requesting to hire two (2) Lateral Entry Patrol Officers. Thereafter, Chapman made a motion, seconded by Boyajian, to concur, waive the hiring freeze, and grant permission. The motion carried by the following roll call: Yeas: Chapman, Boyajian, Paul, Santoy, Avila, Laureto. Nays: Skryd.

39. The Police Chief submitted a communication regarding GovPayNet Services for government agencies. Thereafter, Chapman made a motion, seconded by Avila, to concur and approve as submitted. The motion carried by a unanimous roll call vote.

40. The Fire Chief submitted a communication regarding the retirement announcement of Assistant Chief, Frank Simek and Engineer Carmen Metido and request hiring replacement firefighters for both positions. Thereafter, Skryd made a motion, seconded by Avila to accept the retirements as informational with thanks to both for years of service and to concur, waive the hiring freeze, and authorize the two (2) replacement firefighters off the eligibility list. The motion carried by a unanimous roll call vote.
41. The Berwyn Fire Chief submitted a communication requesting to purchase of two (2) new 2010 ambulances. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and waive the bidding process and grant permission. The motion carried by a unanimous roll call vote.
42. The Public Works Director submitted a communication regarding the 2011 Motor Fuel Tax, Street Light/Traffic Signal Maintenance contract with a recommendation to reject all bids and extend the Lyons & Pinner Electric Companies contract for a period of one year, at an approximate cost of \$220,000. Thereafter, Chapman made a motion, seconded by Santoy, to concur. The motion carried by a unanimous roll call vote.
43. Boyajian made a motion, seconded by Skryd, to bring forth item D-1 bids for demolition of 6619 W. 16th St. and 1535 Clarence. The motion carried by a voice vote. The bid tabulations were as follows:
Anthem Excavation & Demolition, Inc., \$19,700, Donco Hauling, Inc., 6619 16th St. \$21,165 and 1535 Clarence, \$31,365, D.M.D., Services Demolition Contractors, \$25,000, Water's Edge Technology LLC, \$97,110, Chicago Interior Wrecking \$27,200, Impactor Inc. \$23,000. Thereafter, Boyajian made a motion, seconded by Skryd, to refer the matter to the Fire Department and City Administrator for recommendation. The motion carried by a voice vote.
44. The Community Development Director submitted a communication with an attached Resolution entitled:
A Resolution Supporting the West Cook county Housing Collaborative's Disaster Recovery Program Grant Application
Thereafter, Skryd made a motion, seconded by Santoy, to concur and **adopt** the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

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45. The Consent Agenda K-1 through K-10 were submitted
K-1-Budget Chair, payroll for November 24, 2010, \$856,381.93 and December 8, 2010, \$915,239.68
K-2-Budget Chair, payables for December 14, 2010, \$2,103,804.48
K-3-Mayor-Notification of Written Order Entered at the Conclusion of a Business License Hearing Proceeding
K-4- Mayor-Notification of Written Order Entered at the Conclusion of a Business License Hearing Proceeding
K-5-Boyajian, handicap sign, H. Kishbeh, 3834 Lombard, Approve
K-6-Boyajian, handicap sign, R. Sinder, 3319 Clarence, Approve
K-7-Skryd, handicap sign, L. Campa, 2408 Lombard, Approve
K-8-Avila, handicap sign, M. Adkinson, 6839 W. 21st. St, Approve
K-9-Licensing & Collections, business licenses issued November, 2010
K-10-Building Director, building permits issued November, 2010
Thereafter, Avila made a motion, seconded by Skryd, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.
46. Alderman Paul called a Parking and Traffic Committee meeting for Tuesday, January 4, 2011 at 5:00 pm.
47. 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, CMC
City Clerk

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