

City of Berwyn City Council Meeting

March 25, 2008

BERWYN CITY COUNCIL MEETING

MARCH 25, 2008

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.

MICHAEL A. O'CONNOR
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 MIN-3/11/08- COW 3/5/08 & 3/11/08
- (D) BID OPENING - TABULATIONS
 - 1. PW DIR-LANDSCAPE MAINTENANCE SERVICES -CERMAK RD-DEPOT DIST
OGDEN AVE TIF
- (E) BERWYN DEVELOPMENT CORP.-BERWYN TOWNSHIP/HEALTH DISTRICT
 - 1. BDC-CITY OF BERWYN PARKING STRUCTURE OWNER'S REP RECOMMENDATION
 - 2. BDC-2008 INTEGRATED MARKETING PROGRAM
 - 3. BDC-CITY PLANNER-SIGN ORDINANCE RECOMMENDATIONS
- (F) REPORTS AND COMMUNICATIONS FROM THE MAYOR
 - 1. PROC-APRIL, 2008- FAIR HOUSING MONTH
 - 2. HEALTH INS. RENEWAL
- (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. DEFER-SKRYD-CITY OF BERWYN SIGN ORDINANCE
 - 2. SKRYD-CORRECTION OF MINUTES-VOTE CHANGE
 - 3. SKRYD-ARTSPACE
 - 4. SKRYD-CUSTOMER PARKING ONLY SIGN-2801 RIDGELAND
 - 5. SKRYD-4TH WD "WALK AND TALK"
 - 6. SKRYD-REMOVAL OF REFERAL ITEMS FROM ADM COMM
 - 7. SKRYD-90 MIN. PARKING 2500 HARVEY-FROM EAST/WEST ALLEY TO 26TH ST
 - 8. PHELAN-MAYOR'S VETO OF MILLER SHAKMAN & BEEM RESOLUTION
 - 9. PHELAN-QUESTIONS AS TO PROCEDURE
 - 10. LOVERO-ORD. 16TH ST. PARKING
 - 11. ERICKSON-ANIMAL ORDINANCE UPDATE

12. ERICKSON-CERMAK DEVELOPMENT

(J) STAFF REPORTS

1. LAW DEPT-REMOVE REFERAL ITEMS FROM LAW REFERAL LIST
2. LAW DEPT-SETTLEMENT OF CASE #03271956
3. LAW DEPT-DRAFT-SMOKING ORDINANCE
4. FINANCE DIR-MRA AGREEMENT
5. FIRE CHIEF-RECENT APPROVAL OF AMBULANCE PURCHASES
6. FLEET MGR- SCRAPE -1996 FORD F350 PICKUP & FORD 1995

(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 CHAIRMAN-PAYROLL-3/19/08-\$1,070,889.35
2. BUDGET CHAIRMAN-PAYABLES-3/25/08-\$1,412,777.51

ITEMS SUBMITTED ON TIME 27

THOMAS J. PAVLIK - CITY CLERK

Sections A & B

A. Pledge of Allegiance-Moment of Silence

B. Open Forum
Topic must NOT be on the Agenda
Open space for comments or ideas.

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Section C

Presentation of Previous Meeting Minutes For Approval

0-1

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
MARCH 11, 2008

1. The Berwyn City Council meeting was called to order by Mayor O'Connor at 8:02 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero, Erickson via phone.
2. The Pledge of Allegiance was recited and a moment of silence was called for the safety of our armed forces, police, firefighters, and paramedics.
3. Phelan made a motion, seconded by Skryd, to allow Alderman Erickson to participate remotely via telephone per city ordinance. The motion carried by a voice vote.
4. The Open Forum portion of the meeting was announced. Marge Paul of the Berwyn Historical Society spoke regarding Alderman Phelan insulting the Berwyn Historical Society at the February 26th City Council meeting and asked for an apology. Alderman Phelan declined.
5. Lovero made a motion, seconded by Chapman, to suspend the rules and bring forth item F-5. The motion carried by a voice vote. F-5 is a communication from the Mayor regarding the appointment of Lieutenant Paul Gardner to the rank of Deputy Fire Chief. Clerk Pavlik administered the oath of office. Thereafter, Lovero made a motion, seconded by Chapman, to concur and approve the appointment as submitted. The motion carried by a unanimous roll call vote.
6. Lovero made a motion, seconded by Chapman, to suspend the rules and bring forth items J-12 and J-11. The motion carried by a voice vote. Item J-12 is a communication from the Fire Chief regarding the Fire department promotions of John Woods from engineer to lieutenant, Mike Chiapetta, J. Novacek, and Ray Fron from firefighters to engineers. Thereafter, Clerk Pavlik administered the oath of office and a motion by Lovero, seconded by Weiner to concur and accept the promotions as informational. The motion carried by a voice vote.
7. The Fire Chief submitted a communication regarding Fire Certification Recognition for retiring Fire Chief Kalivoda, newly appointed Fire Chief Denis O'Halloran, and Lieutenant Salvador Molinaro as being recipients of

the highest certification awarded by the Illinois Office of the State Fire Marshal, Fire Officer III. Thereafter, a representative from the Illinois Office of the State Fire Marshal presented certificates of recognition and also a special plaque honoring retiring Chief Kalivoda. Thereafter, Lovero made a motion, seconded by Skryd, to accept the matter as informational with congratulations to all. The motion carried by a voice vote.

8. Skryd made a motion, seconded by Lovero, to suspend the rules and bring forth item F-3. The motion carried. F-3 is Proclamation submitted by the Mayor honoring Fire Chief Kalivoda and recognizing his 30 years of service and proclaiming March 12, 2008 as Richard Kalivoda Day in the City of Berwyn. Thereafter, Lovero made a motion, seconded by Ramos, to concur and **adopt** the proclamation as presented. The motion carried by a voice vote.
9. Skryd made a motion, seconded by Lovero, to suspend the rules and bring for item F-4. The motion carried. F-4 is a proclamation honoring the Speech and Drama Team of District 100 for their participation in the West 40 Speech and Drama Fest on February 23, 2008 and proclaiming March 12, 2008 as School District 100 Speech and Drama Team Day in the City of Berwyn. Thereafter, Skryd made a motion, seconded by Ramos, to concur and **adopt** the proclamation as presented. The motion carried by a voice vote.
10. Lovero made a motion, seconded by Chapman, to suspend the rules and bring forth item H-1. The motion carried. H-1 is a communication from the Zoning Board of Appeals regarding the Grud property, 7024-26 W. Cermak Road. Thereafter, Lovero made a motion, seconded by Skryd, to concur, and **adopt** the resolution and ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
11. The regular minutes of the Berwyn City Council and the Committee of the Whole held on February 26, 2008 were submitted. Thereafter, Ramos made a motion, seconded by Weiner, to concur and approve the minutes as submitted. The motion carried by a voice vote.
12. Erickson made a motion, seconded by Weiner, to suspend the rules and bring forth item J-2. The motion carried. J-2 is a communication from the Law department authorizing the city attorney to take any and all necessary legal actions to pursue all the City's rights and remedies under its Redevelopment Agreement, Promissory Note and Mortgage with Homewerks-Voigt Development, LLC. Thereafter, Erickson made a motion, seconded by Phelan, to concur. The motion carried by the following roll

call: Aye: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Erickson. Nay: Lovero.

13. Erickson made a motion, seconded by Day, to suspend the rules and bring forth item F-10. The motion carried. F-10 is a communication from the Mayor regarding the veto of the City Settlement with Jerry Marzullo. Thereafter, Erickson made a motion, seconded by Day, to concur. The motion failed by the following roll call: Yeas: Day, Erickson. Nays: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero. Thereafter, the Mayor declared the veto overruled.
14. The Berwyn Development Corporation submitted a TIF application for Supermercado Berwyn, 6337 W. Cermak Road. Lovero made a motion, seconded by Chapman, to concur and approve for payment in an amount not to exceed \$1,370. The motion carried by a unanimous roll call vote.
15. The Berwyn Development Corporation submitted a TIF application for Ricardo Zurita, 6536 W. Cermak Road. Skryd made a motion, seconded by Ramos, to concur and approve for payment in an amount not to exceed \$27,175 and ordered that the funds not be released until approved by the IHPA. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero. Nays: none. Abstain: Erickson.
16. The Berwyn Development Corporation submitted a TIF application for Tiger O'Stylies, 6300 W. Ogden Avenue. Ramos made a motion, seconded by Skryd, to concur and approve for payment in an amount not to exceed \$8,750. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero. Nays: none. Abstain: Erickson.
17. A deferred communication from the Mayor regarding a Foreclosure Clerk. Lovero made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
18. A deferred communication from the Mayor regarding an Organizational Study. Chapman made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
19. The Mayor submitted a communication regarding the resignation of Finance Director, Stephanie Walker. Thereafter, Weiner made a motion, seconded by Ramos, to concur and accept the resignation with regrets. The motion carried by a voice vote.

20. The Mayor submitted a communication regarding the appointment of Robert Dwan as CDBG Director. Thereafter, Weiner made a motion, seconded by Ramos, to concur and approve the appointment as submitted. The motion carried by a unanimous roll call vote. Thereafter, Alderman Chapman requested an updated job description, which the Mayor stated that he will provide.
21. The Mayor submitted a communication regarding the appointment of Dawn Rinehart as Grants Administrator for the CDBG. Thereafter, Erickson made a motion, seconded by Chapman, to concur and approve the appointment as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Nays: Phelan. Thereafter, Alderman Chapman again requested an updated job description.
22. The Mayor submitted a communication regarding the Dissolution of Township 39 to waive transfer fees of \$100 for Districts 98,100, and Morton High School District 201. Thereafter, Lovero made a motion, seconded by Ramos, to concur. The motion carried by a unanimous roll call vote.
23. The Mayor submitted a communication regarding the Veto of Resolution 022608-2 pertaining to Alderman Phelan accepting and retaining the services of Miller, Shakman, & Beem. Thereafter, Weiner made a motion, seconded by Skryd, to suspend the rules and bring forth item I-6 as germane. The motion carried. The Mayor requested the communication to read. Thereafter Alderman Phelan refuted the Mayor's communication and read a statement into record. Thereafter, Phelan requested Alderman Weiner's communication regarding the matter to be read into record. Thereafter, Phelan commented on Weiner's communication stating it was insulting to the City Council. Alderman Chapman concurred with Alderman Phelan and stated that I-6 is insulting to the City Council. After further discussion, Chapman made a motion, seconded by Ramos, to accept the matters as informational. The motion carried by a voice vote.
24. The Mayor submitted a communication regarding the settlement of Workman's Comp. Case #05WC11121. Skryd made a motion, seconded by Weiner, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero. Note: During the call of the roll, Alderman Erickson was no longer on the telephone. The Mayor attempted to call back without success.
25. The Mayor called for a motion to excuse Alderman Erickson. Thereafter, Chapman made a motion, seconded by Ramos, to excuse Alderman Erickson. The motion carried by a voice vote.

26. The Clerk submitted a communication regarding the approval of Closed Committee of the Whole minutes of January 22nd and February 11, 2008 as reviewed in closed session. Thereafter, Ramos made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a voice vote.
27. The Clerk submitted a communication regarding information not provide to the City Clerk and requested that all documents and emails, forwarded to the aldermen's attention by the mayor and/or department heads, that are discussed in open or closed meetings, be forwarded to the Clerk to be included in the minutes. After discussion, Lovero made a motion, seconded by Chapman, to concur. The motion carried by a voice vote.
28. The Zoning Board of Appeals submitted a Resolution and Ordinance regarding the Handzel property, 6226 W. Cermak Road. Thereafter, Day made a motion, seconded by Skryd, to concur and adopt the Resolution and Ordinance as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote with Erickson excused.
29. A deferred communication from Alderman Phelan regarding Questionable Conduct. Thereafter, Alderman Phelan handed out copies of an affidavit from the Mayor dated July 20, 2007 along with a copy of Scott Waguespack's campaign literature and also a copy of City Council meeting minutes of March 27, 2007. After discussion, Phelan made a motion to censure the Mayor. The motion failed, due to a lack of a second. Thereafter, Ramos made a motion to defer the matter generally. After discussion, the motion was withdrawn. Thereafter, Chapman made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
30. A deferred communication from Alderman Skryd regarding the City of Berwyn Sign ordinance. Alderman Skryd supplied the Council with a draft ordinance, repealing and replacing Chapter 1476 of the Berwyn code regarding regulation of signs in the City of Berwyn. After discussion, Skryd made a motion, seconded by Weiner, to refer the matter to the law firm of Odelson & Sterk and BDC Planner, Sara Bratcher. The motion failed by the following roll call: Yeas: Weiner, Skryd, Lovero. Nays: Chapman, Ramos, Day, Phelan. Excused: Erickson. After further discussion, Ramos made a motion, seconded by Day, to defer the matter for two (2) weeks. The motion carried by the following roll call: Yeas: Chapman, Ramos, Day, Phelan. Nays: Weiner, Skryd, Lovero. Excused: Erickson.

31. Alderman Chapman submitted a communication regarding Windsor Avenue also bearing the name "Billy Quan Drive" in remembrance and celebration of the long time resident and business owner. After discussion, Chapman made a motion, seconded by Lovero, to refer the matter to the Law department for review. The motion carried by a voice vote, with Weiner voicing a contrary nay.
32. Alderman Chapman submitted a communication regarding maintenance being done to the inside of the Depot train station. The Mayor recognized Public Works Director, Pat Ryan, who explained the public works department is responsible for indoor maintenance. Thereafter, Chapman made a motion, seconded by Day, to refer the matter to the Law department. The motion carried by a voice vote.
33. Alderman Ramos submitted a communication regarding the approval of the revised Berwyn Bike Route and plans to lead a group of bike riders on a ride through the Historic Route 66 loop and the Depot District loop on April 26, 2008. Thereafter, Ramos made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a voice vote.
34. Alderman Weiner submitted a communication regarding for possible capital improvement for the 3rd Ward. Thereafter, Weiner made a motion, seconded by Skryd, to refer the matter to the public works director as informational. The motion carried by a voice vote.
35. Alderman Lovero submitted an ordinance entitled:
AN ORDINANCE AMENDING SECTION 484.03 OF THE BERWYN CODE TO ALLOW PUBLIC PARKING IN THE GROVE MUNICIPAL PARKING LOT WITHIN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS
Thereafter, Lovero 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 Erickson excused. Thereafter, Lovero made a motion, seconded by Day, to refer the matter to the public works department as informational and to order the public works department to install said signs. The motion carried by a unanimous roll call vote with Erickson excused.
36. The Ordinance and Resolution committee submitted an ordinance entitled:
ORDINANCE AMENDING THE TRAFFIC CODE OF THE CITY OF BERWYN REGARDING VEHICLE SEIZURE AND IMPOUNDMENT
Thereafter, Lovero made a motion, seconded by Weiner, 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 Erickson excused.

37. The Associate City attorney submitted an regarding a Renew Agreement for IC & SC Bus Shelter program with the City of Berwyn. Thereafter, Weiner made a motion, seconded by Skryd, to concur and authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote with Erickson excused.
38. The Law firm of Odelson & Sterk submitted an ordinance entitled:
AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS (AMENDMENT OF CHAPTER 1244.06)
Thereafter, Lovero 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 the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero. Nays: none. Abstain: Day. Excused: Erickson.
39. The Law firm of Odelson & Sterk submitted an ordinance entitled:
AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS (AMENDMENT OF RETAIL OVERLAY DISTRICT)
Thereafter, Lovero made a motion, seconded by Weiner, to concur and adopt the ordinance as presented and to authorize the corporate authorities to affix there signatures thereto. The motion carried by a unanimous roll call vote with Erickson excused.
40. The Law firm of Odelson & Sterk submitted an ordinance entitled:
AN ORDINANCE AUTHORIZING THE ACQUISITON OF PROPERTY AND THE EXERCISE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTIES WITHIN THE AMENDED BERWYN THEATER TAX INCREMENT FINANCING DISTRICT
Thereafter, Lovero made a motion, seconded by Weiner, to concur and **adopt** the ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Day, Phelan, Lovero. Nays: Ramos. Excused: Erickson.
41. The Public Works director submitted a communication requesting the waiver of bidding and approval of emergency repair of Pump 1 at the cost of \$26,393. Thereafter, Lovero made a motion, seconded by Day, to concur and approve for payment. The motion carried by the following roll

call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero. Nays: Phelan.
Excused: Erickson.

42. The Public Works director submitted a communication regarding the award of contract for Decorative Iron Products to Heritage Casting and Iron Works in the amount not to exceed \$67,540. Thereafter, Lovero made a motion, seconded by Day, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Day, Lovero. Nays: Skryd, Phelan. Excused: Erickson.
43. The Mayor requested a motion to continue the meeting past 10:00 p.m. per City ordinance. Thereafter, Weiner made a motion, seconded by Skryd, to concur. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Lovero. Nays: Day, Phelan. Excused: Erickson.
44. The Police Chief submitted a communication regarding Membership in the West Suburban Major Task Force. Thereafter, Day made a motion, seconded by Skryd to accept the matter as informational. The motion carried by a voice vote.
45. The Director of Neighbor Affairs and Detective Green submitted a Crime Free Multi-Housing ordinance. After discussion, Lovero made a motion, seconded by Weiner, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
46. The Fire Chief submitted a communication informing the council of the purchase of Additional Emergency Medical Treatment equipment for the two Advanced Life Support ambulances. Thereafter, Skryd made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
47. The Fire Chief submitted a communication regarding the purchase of a New Striker Stair Chair. Thereafter, Skryd made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
48. The Assistant Fire Chief submitted a communication regarding the purchase of Chief's SUV, replacement of current Command SUV. Thereafter, Day made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero. Nays: Phelan. Excused: Erickson.
49. The Assistant Fire Chief submitted a communication regarding the purchase of two new ambulances. Thereafter, Lovero made a motion, seconded by

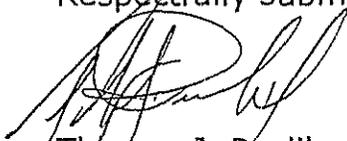
Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote with Erickson excused.

50. The Consent agenda K-1 through K-5 was submitted
 - K-1 The Budget chairman submitted the payroll for March 5, 2008 in the amount of \$855,541
 - K-2 The Budget chairman submitted the payables for March 11, 2008 in amount of \$1,431,544.73
 - K-3 The Collector submitted the business licenses issued during the month of February, 2008
 - K-4 The Building director submitted the building permits issued during the month of February, 2008
 - K-5 The American Cancer Society submitted a request for a "Tag Day" on May 3, 2008

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

51. The Mayor requested two (2) closed sessions of the Committee of the Whole on Monday, March 17th and Thursday, March 20, 2008 at 7:00 p.m. for public works contract negotiations. Thereafter, Lovero made a motion, seconded by Skryd, to concur and grant permission. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero. Nays: Phelan. Excused: Erickson.
52. The Mayor for the regular Committee of the Whole meeting on Tuesday, March 25, 2008 at 6:00 p.m. for referrals.
53. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Phelan, to adjourn at the hour of 10:14 p.m. The motion carried by a voice vote.

Respectfully submitted,



Thomas J. Pavlik
City Clerk

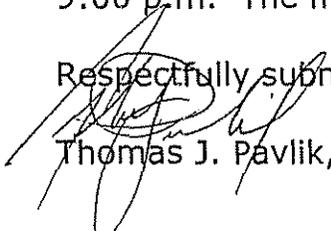
MINUTES
COMMITTEE OF THE WHOLE
MARCH 5, 2008

1. The Mayor requested that the Committee of the Whole meeting be called to order at 7:05 p.m. Clerk Pavlik pointed out that only 4 aldermen were in attendance and that it was not enough to constitute a quorum, which must be 5 aldermen. The Mayor stated that he would wait another 5 minutes for a quorum. Thereafter, Alderman Phelan stated that he has waited long enough, and exited the meeting.
2. The Mayor called the meeting to order at 7:09 p.m. Upon the call of the roll, the following responded present: Ramos, Weiner, Skryd, Day, Lovero. Absent: Chapman, Phelan, Erickson.
3. Lovero made a motion, seconded by Weiner, to excuse Aldermen Chapman, Phelan, Erickson. The motion carried.
4. Skryd made a motion, seconded by Weiner, to close the Committee of the Whole at 7:10 p.m. for personnel, contract negotiations, and land acquisition.
The open portion of the Committee of the Whole reconvened at 8:32 p.m.
Note: Alderman Phelan now present.
5. Retail Overlay Ordinance-The Mayor recognized Richard Bruen who stated that he has been in discussion with Alderman Skryd and has passed the ordinance along to Joe Montana along with Alderman Skryd's communication with proposed changes. Bruen went on to question the 1000 square foot or less being excluded from the overlay. Weiner questioned if this would allow Pay Day loan stores, Bruen replied, yes and suggested amending with exclusions. Discussion continued on separating medical offices from the restriction but still including mortgage and loan offices in the restrictions. The Mayor asked for a consensus on these changes with Weiner, Lovero, aye, Skryd, Day, nay, Ramos and Phelan no vote at this time. Discussion continued regarding the Conditional Use ordinance and on incorporating this within the Retail Overlay ordinance. Alderman Skryd discussed the Downers Grove waiver form that she submitted to the Mayor on February 28th. Note: Waiver form not provided to the Clerk at time of meeting. Alderman Lovero suggested changing the burden to prove a case for variance of 1268.05 and Bruen disagrees with Lovero regarding separating standards and fees. Alderman Day questioned if these changes will help get businesses into store fronts, Skryd stated, yes, and stated that these were all proposed by the businesses to Deb

Suchy. Richard Bruen stated that he will try to get an amended ordinance back by Friday for the next City Council meeting.

6. The Dissolution of Township 39-The Mayor stated that the treasurer now has to transfer properties to each school district and the transfer fee is \$100 for each property and stated that the school districts are asking for the fee to be waived. The Mayor stated that he will put a communication on the next City Council floor to waive fees for the school districts.
7. The Mayor referred to the collections by month Real Estate Tax, see attached. The Mayor stated that these are more accurate figures.
8. The Mayor presented an amendment to the Multi Tennant Mixed property ordinance regarding regulating and inspecting the multi unit houses with the building department and combining with a Crime Fee Housing Ordinance as proposed by Schaumburg.
9. The Mayor questioned aldermen regarding emailing the other ordinance regarding the licensing to the aldermen. Note: Clerk not in receipt of item discussed by the Mayor.
10. Overnight parking-The Mayor stated this was a proposal by Odelson & Sterk, that would require a second sticker for overnight street parking, see attached. The Mayor is asking aldermen to review. There would be an additional \$10 charge per car to be parked on the city streets overnight in addition to the \$35 vehicle sticker fee.
11. The Mayor referred to the new vehicle purchase for the Berwyn Fire department and that they are seeking a chief and command vehicle and that a proposal will be put on the next City Council agenda.
12. Foreclosure Clerk-The Mayor stated that he is trying to absorb some of the duties into existing staff and stated that Larry Toriello will be working weekends to inspect foreclosure properties, and that we will continue to use Chris Donovan and Healy to handle foreclosures, but Toriello will be physically monitoring the properties.
13. 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 9:00 p.m. The motion carried.

Respectfully submitted,


Thomas J. Pavlik, City Clerk

MINUTES
COMMITTEE OF THE WHOLE
MARCH 11, 2008

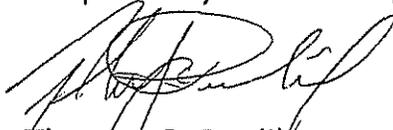
1. The Committee of the Whole was called to order by Mayor O'Connor at 6:05 p.m. Upon the call of the roll, the following responded present: Weiner, Skryd, Day, Lovero. Absent: Chapman, Ramos, Phelan, Erickson. The Mayor noted a quorum not present and questioned if Alderman Erickson wished to participate in the Committee of the Whole via telephone. Clerk Pavlik stated, no, he just wished to participate in the regular City Council meeting. The Mayor noted a quorum not present and stated that we will wait until a quorum is present.
Note: Alderman Chapman present at 6:10 p.m.
Thereafter, the Mayor declared a quorum present and the meeting was duly convened for further business.
2. The Mayor recognized Ms. Michael Bogart, Director of Mainstreet, regarding agenda item E-2, the BDC TIF application for Ricardo Zurita, 6535 W. Cermak Road and questioned the architectural design regarding the brick facade and stated that she is currently working with the BDC and Mr. Zurita to insure the brick façade being removed can be reconditioned and used in the upgrades and is also awaiting approval by Mainstreet. Ms. Bogart stated that she hoped that Mainstreet would be included and informed regarding any architectural changes along Cermak Road, discussion ensued. Thereafter, the Mayor suggested deferring the matter for 2 weeks.
3. The Mayor requested a motion to go into closed Committee of the Whole for pending litigation, land acquisition, personnel, and contract negotiations. Thereafter, Weiner made a motion, seconded by Skryd, to close the Committee of the Whole at 6:15 p.m. The motion carried.
4. The open portion of the Committee of the Whole reconvened at 7:50 p.m. Alderman Chapman, Ramos, Phelan now present
The Mayor discussed item J-8, the amended ordinance regarding Crime Free Multi Unit Housing. The Mayor recognized Joe Green of the Berwyn Police department. Alderman Lovero questioned the new proposal and asked for it to be deferred, referring to the old ordinance with the police enforcement. The Mayor recognized Neighborhood Affairs director Mark Jarnagin, who stated that the old ordinance is redundant. Lovero questioned eliminating the good qualities from the old ordinance and would like to see them combined into one or allow both ordinances to exist. The

COMMITTEE OF THE WHOLE
MARCH 11, 2008

Mayor questioned if they would like this referred to the Committee of the Whole, Alderman Lovero answered, yes.

5. Foreclosure Clerk-The Mayor requested that the matter be referred back to the Committee of the Whole.
6. The Mayor referred to the Organizational Study and asked aldermen if they any questions, to please refer them to the Mayor as soon as possible.
7. The Mayor handed out a memo regarding security cameras to be installed at City Hall and stated that we are going to install this security system and referred to the attached memo.
8. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Chapman, to adjourn at the hour of 7:55 p.m. The motion carried.

Respectfully submitted,

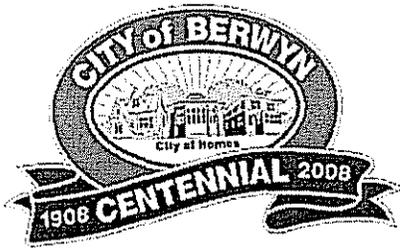


Thomas J. Pavlik
City Clerk

Section D

Bid Openings – Tabulations

Michael A. O'Connor
Mayor



Patrick Ryan
Director of Public Works

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 749-9503
www.berwyn-il.gov

March 19, 2008

To: Mayor Michael O'Connor & City Council Members
From: Patrick Ryan, Public Works Director
Re: Opening of Landscape Maintenance Services

Staff is seeking approval to open the responses to proposals for monthly landscape maintenance services for the Cermak Road, Depot District, and Ogden TIF areas for 2008 during the March 25, 2008 City Council meeting.

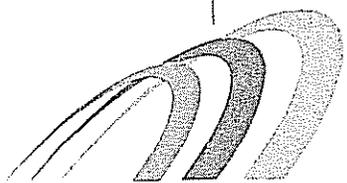
These proposals involve the maintenance of public ways, planters, trash receptacles, and grass covered areas. Proposals for plantings in the planters will be under a separate RFP.

Recommended Actions:

Staff recommends the City Council allow the opening of proposals for monthly landscape maintenance services for the Cermak Road, Depot District, and Ogden TIF areas for 2008 during the March 25, 2008 City Council meeting.

Section E

Berwyn Development Corp.
Berwyn Township/Health District



E-1

berwyn development
CORPORATION

March 25, 2008

To: City of Berwyn - Mayor Michael O'Connor and City Council

Re: City of Berwyn Parking Structure Owner's Representative Recommendation

On October 9, 2007 Clark Hill was selected and approved by City Council as the provider of a legal led owner's representative service. Upon selection, contract negotiations between the City and Clark Hill began and extended for several months without an agreed upon contract. Per legal advice and due to potential conflict of interest, the services of OR were altered to exclude legal services. Due to the scope of services change, the Berwyn Development Corporation re-issued an RFQ for Owner's Representative Services. Based upon the RFQ issued in February of 2008, three responses were received by the following firms: Alfred Benesch, K.R. Miller Contractors Inc., and Project Insight.

The overall purpose of the Owners Representative within the construction process is for the selected firm to act as the primary agent and representative for the City during pre-construction, construction and post construction of the project. They will provide coordination between the City, the general contractor, and the project architect/engineer.

A detailed analysis of all submittals was conducted to include reference checks by the BDC staff. Following this process an interview phase was conducted in order to determine the most qualified firm for the construction of the parking structure. After careful consideration, the Berwyn Development Corporation is recommending the approval of Alfred Benesch as the Owner's Representative.

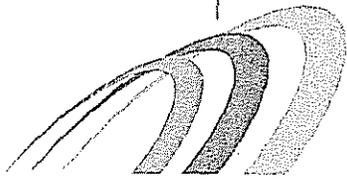
Alfred Benesch has an experienced resume with specific experience in municipal parking deck construction and excellent references. They were also the lowest bid as seen below, at \$420,840; although this was only one of several factors considered during the review process.

Owner's Representative Fee Submissions:

Alfred Benesch:	\$420,840
K.R. Miller Contractors Inc:	\$934,300
Project Insight:	4.75% (estimated at \$475,000 but dependant upon final deck construction cost)

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

The Owner's Representative contract which was drafted by Mike Wall of Rothschild, Barry & Myers LLP, was attached as an exhibit to the RFQ to



berwyn development
CORPORATION

minimize time needed for contract negotiations. Alfred Benesch has agreed to the contract and if approved by council, would be prepared to sign and begin work immediately.

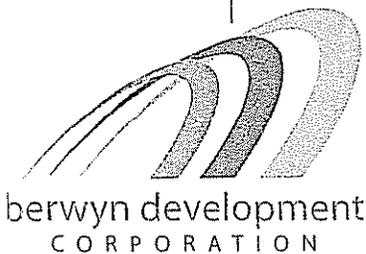
It is the recommendation of the Berwyn Development Corporation to approve Alfred Benesch as the Owner's Representative for the parking deck construction project at a price of \$420,840.

Please feel free to contact the Berwyn Development Corporation with any questions or concerns which arise prior to the March 25 Council Meeting.

Respectfully Submitted,

Anthony W. Griffin
Executive Director
Berwyn Development Corporation

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



E-2

March 25, 2008

To: City of Berwyn Mayor Michael O'Connor and the City Council
Fr: Berwyn Development Corporation
Re: 2008 Integrated Marketing Program

Dear City Council Members,

As per our earlier presentation regarding recommendations for a 2008 Integrated Marketing Program, the BDC is seeking approval for either one of the budget options that was included in the presentation. Same as with the program in 2007, the BDC would oversee and handle the logistical coordination of all activities relating to this program and would operate with a budget cap with a set maximum amount. Also same as last year's program, all requests for payments would be forwarded to the appropriate City staff with a detailed cover memo. To recap, the proposed budgetary options that were included in the presentation are as follows:

Option 1:

\$138,701 (which is close to the amount that was approved in 2007). This amount would include the billboard program package deal offered by ClearChannel, presence at two major Chicago events, a microsite reflecting the campaign theme, consumer postcards to be distributed during presence at major Chicago events, and project management

Option 2:

\$149,101. This amount would include the billboard program package deal offered by ClearChannel, presence at five major Chicago events, a microsite reflecting the campaign theme, consumer postcards and summer fans to be distributed during presence at major Chicago events, and project management

Option 3:

\$157,101. This amount would include the billboard program package deal offered by ClearChannel, presence at seven major Chicago events, a microsite reflecting the campaign theme, consumer postcards, summer fans and t-shirts to be distributed during presence at major Chicago events, and project Management

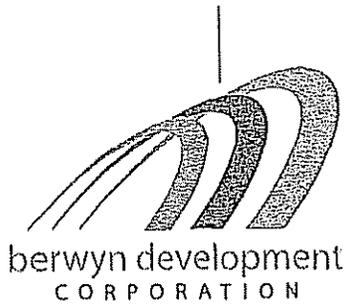
Our recommendation at this time is to move forward with Option 1, which is very close to the amount that was approved in 2007. Per City Council's approval to move forward with either one of the above mentioned options, the BDC will begin immediately with securing Billboard space and will kick off the research development phase in order to meet our late Spring deadline.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Griffin".

Anthony Griffin
Executive Director
Berwyn Development Corporation

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



E-3

Subject: Sign Ordinance Recommendation

Attachments: Sign Ordinance Recommendation.pdf

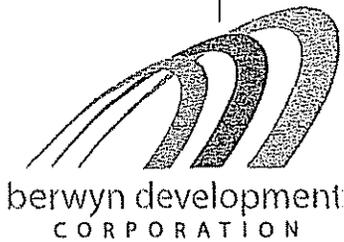
Mayor, Alderman and City Officials:

Attached is the recommendation of the Berwyn Development Corporation in reference to the submitted Sign Ordinance. Please feel free to contact Tony or myself if you have any additional questions or concerns.

Sincerely,

Sara Bratcher

Senior Urban Planner
Berwyn Development Corporation
3322 S. Oak Park Avenue
Berwyn, IL 60402
(708) 788-8100- office
(312) 576-2031- cell
(708) 788-0966- fax



Memo

March 18, 2008

RE: Ordinance repealing and replacing Chapter 1476 of the Berwyn Code regarding the regulation of signs in the City of Berwyn, Cook County, Illinois.

As the City of Berwyn and the Berwyn City Council have begun to re-evaluate the effectiveness of the current sign ordinance, the Berwyn Development Corporation has reviewed the document and recommends one minor addition. Overall, the newly drafted ordinance is very thorough and detail oriented. We are recommending adding to Section "1476 6.0" Signs Permitted on Cermak Road in order to reserve space for the remaining commercial corridors. Due to different land use patterns, characteristics and architectural styles within the commercial corridors, each district should be allowed a specific design overlay, above and beyond the base ordinance as completed by the draft ordinance for the Cermak Road corridor. This will allow for specific design elements that are unique to the respective corridors to co-exist within the overall ordinance.

The term "districts" refers to the TIF Districts, which includes the Depot, Roosevelt and Ogden. At the present time a Transit Oriented Development Study which applies to the Depot District will be addressing signage recommendations. This study is scheduled to be brought before Council for approval in August. The Roosevelt Road Corridor will be going through a streetscape and zoning study in conjunction with Oak Park and Cicero. This will not only guide implementation, but will also ensure that the communities are integrating similar design elements to create an overall improved district. These recommendations will include signage as well. It is the goal of the Roosevelt Road Advisory Committee to complete the study with Council approval by late 2008 or very early 2009. There are currently no plans for the Ogden Avenue Corridor which relate to signage, therefore for the time being it should be subject to the base Ordinance restrictions. However, there should be an allowance in the Ordinance to incorporate these studies findings in the proposed Ordinance which is currently moving forward.

If you have any questions or concerns regarding this recommendation, please do not hesitate to contact the Berwyn Development Corporation at 708-788-8100.

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

Section F

Reports and Communications From The Mayor



THE CITY OF BERWYN, ILLINOIS

Building A New Berwyn

MICHAEL A. O'CONNOR, Mayor

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

PROCLAMATION

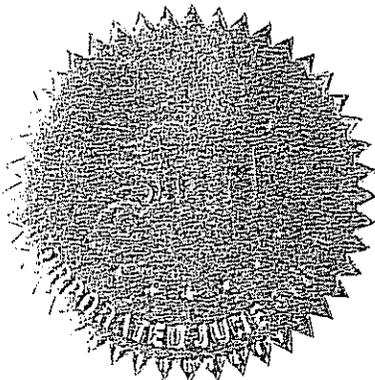
Whereas: April 11, 2008 marks the 40th anniversary of the passage of the U.S. Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended which enunciated a national policy of fair housing without regard to race, color, religion, national origin, sex, familial status and disability; and

Whereas: the City of Berwyn finds that fair and affordable housing is a goal of all Illinois residents and a right of every person according to federal and state laws; and

Whereas: the West Towns Board of REALTORS, in partnership with the Illinois Association of REALTORS and the National Association of REALTORS are committed to highlighting the federal, state, and local fair housing laws by continuing to address discrimination in our communities, to support programs that will educate the public about the right to equal housing opportunities, and to partner with government and other organizations to help assure every American of their right to fair housing;

Now Therefore: I, Mayor Michael A. O'Connor and the Aldermen of the City of Berwyn do hereby resolve that April 2008, being Fair Housing Month across the country, in Berwyn we commemorate the signing of the U.S. Fair Housing Law and urge all citizens to embrace diversity and make a commitment to fair housing to provide or support equal housing opportunities for all current and future residents of our fine city.

Dated this 25th day of March, 2008



Michael A. O'Connor

Michael A. O'Connor, Mayor

Thomas J. Pavlik

Thomas J. Pavlik, City Clerk

The City of Berwyn



Michael A. O'Connor
Mayor

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

March 19, 2008

To: Members of City Council

Re: Health Insurance Renewal

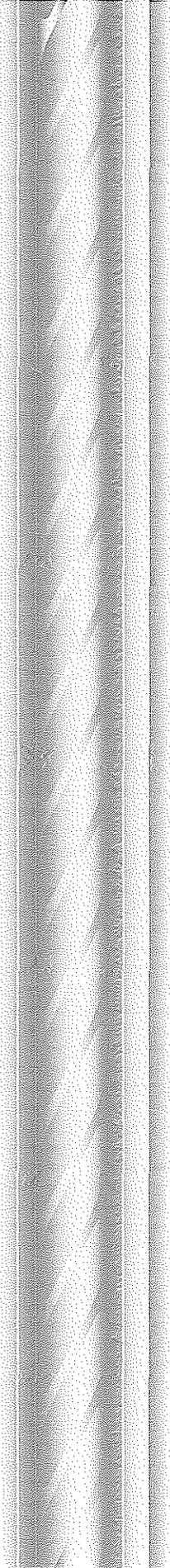
Dear Ladies and Gentlemen:

We will be discussing our renewal of health insurance during the Committee of the Whole meeting this evening. I wish to bring forward the recommendation from committee for action.

Sincerely,

Michael O'Connor
Mayor

MAO/dr

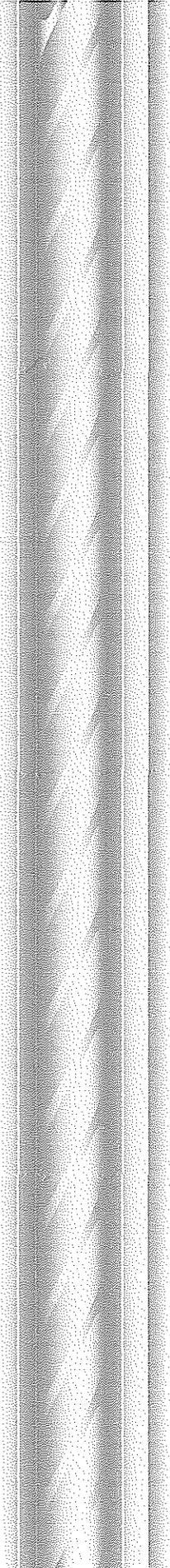


Section G

Reports and Communications From The City Clerk

Section H

Communications From The Zoning Board of Appeals



Section I

Reports and Communications From Aldermen, Committees, Boards and Commissions



CITY OF BERWYN

CITY COUNCIL MEETING (Date) 03/25/08

Deferred Communication

Agenda Item I-1 is a Deferred Communication from C C Meeting dated 03/11/08 Agenda item 30

FROM ALDERMAN SKRYD

Re: CITY OF BERWYN SIGN ORDINANCE

ITEM #

30

Roll Call/Tally Sheet
City of BerwynDATE: March 11, 2008TIME: 8:00 p.m.CITY COUNCIL MEETING

Member	Motion	Second	Yea	Nay	No Vote	Present	Absent	Excused	Abstain
CHAPMAN			X	X					
RAMOS	X		X	X					
WEINER			X	X					
SKRYD	✓		X	X					
DAY		X	X	X					
PHELAN			X	X					
LOVERO			X	X					
ERICKSON									
O'CONNOR									

MOTION TO:	REFER TO:	TO:	COMMENTS:
Accept and File	BDC	✓	SARA B.
Accept as Info	Building Dept.		
Adjorn	Collector		
Adopt	Finance		
Approved as Amended	Fire Dept.		
Approved for Payment	Human Resources		
Approved as Submitted	Law Dept. / O & S	✓	
Bring Forward	Mayor		
Carried	Police Dept.		
Concur	Public Works Dept		
Defeated	Committees & Boards		
Defer	X Administration Comm.		
Defer / Refer	Bldg/Zon/Plan Comm.		
Deny	Budget Comm.		
Germane	Comm. Of Whole		
Grant Permission	Education Comm.		
Recess	✓ Fire & Police Comm.		
Refer	Library		
Study & Report	Ord/Resol Comm.		
Suspend the Rules	Public Works Comm.		
Withdraw	Recreation Comm.		
	Tree Board		
	Zon. Bd. Appeals		

CITY OF BERWYN

CITY COUNCIL MEETING (Date) 03/11/08

Deferred Communication

Agenda Item 1-2 is a Deferred Communication from C C Meeting dated 02/26/08 Agenda item #27

FROM ALDERMAN SKRYD

Re: CITY OF BERWYN SIGN ORDINANCE



Michele D. Skryd
ALDERMAN FOURTH WARD
BERWYN, ILLINOIS

FILE NO. 27
DATE FEB 26 2008
DISPOSITION _____

February 22, 2008

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

Oliver
ITEM NO. 30
DATE MAR 11 2008
DISPOSITION Oliver

RE: City of Berwyn Sign Ordinance

Ladies and Gentlemen:

It has come to my attention that the sign ordinance is need of several amcnments. I have been working with Dan Lebeau on revamping the entire ordinance. I will be presenting a full proposal. The document will be provided to you at the city council meeting on february 26, 2008.

It would be my recommendation to refer this to C.O.W. for review and discussion and implantation in a timely manner.

Respectfully,

Michele D. Skryd

Michele D. Skryd
4th Ward Alderman

DRAFT

ORDINANCE NO. _____

**ORDINANCE REPEALING AND REPLACING CHAPTER 1476 OF THE
BERWYN CODE REGARDING THE REGULATION OF SIGNS IN THE CITY
OF BERWYN, COOK COUNTY, ILLINIOS**

WHEREAS, the City of Berwyn has adopted a Sign Code, which has been amended from time to time;

WHEREAS, the City Council has further decided to amend the Code to provide for the regulation of signs;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS:

SECTION 1: Section 1476 of the City of Berwyn Codified Ordinances is hereby repealed and replaced in its entirety by the following:

CITY OF BERWYN

SIGN ORDINANCE

- 1476. 1 TITLE**
- 1476. 2 PURPOSE AND INTENT**
- 1476. 3 DEFINITIONS**
- 1476. 4 GENERAL REGULATIONS**
 - 4.1 SIGN AREA**
 - 4.2 CLASSIFICATION OF SIGNS**
 - 4.3 PERMITS**
 - 4.4 SIGN CONTRACTOR REGISTRATION**
 - 4.5 INDEMNIFICATIONS**
 - 4.6 INSPECTIONS**
 - 4.7 MAINTENANCE OF SIGNS**
 - 4.8 NONCONFORMING SIGNS**
 - 4.9 ABANDONED SIGNS**
 - 4.10 EXEMPTIONS**
 - 4.11 PROHIBITED SIGNS**

4.12 REMOVAL OF SIGNS

1476. 5 REGULATIONS FOR PARTICULAR SIGNS

- 5.1 SIGN CONSTRUCTION
- 5.2 SIGN ERECTION
- 5.3 LIGHTING
- 5.4 WALL SIGNS
- 5.5 GROUND SIGNS
- 5.6 DIRECTORIES
- 5.7 WINDOW SIGNS
- 5.8 AWNING SIGNS
- 5.9 CHANGEABLE COPY SIGNS
- 5.10 REAL ESTATE SIGNS
- 5.11 MARQUEES
- 5.12 MONUMENT SIGN AREA AND HEIGHT RESTRICTIONS

1476. 6.0 SIGNS PERMITTED ON CERMAK ROAD

- 6.1 INDIVIDUAL SIGN AREA AND HEIGHT RESTRICTIONS
- 6.2 AWNING AND BANNER RESTRICTIONS

1476. 7.0 SIGNS PERMITTED IN ALL OTHER NON-RESIDENTIAL ZONING DISTRICTS

- 7.1 TOTAL SIGN AREA
- 7.2 NUMBER OF SIGNS
- 7.3 SIGN SETBACKS
- 7.4 HEIGHT OF SIGNS

1476. 80 REGULATIONS FOR ACCESSORY SIGNS

- 8.1 GENERAL REGULATIONS
- 8.2 REGULATIONS FOR PARTICULAR ACCESSORY SIGNS

1476. 90 REGULATIONS FOR TEMPORARY SIGNS

- 9.1 GENERAL REGULATIONS
- 9.2 REGULATIONS FOR PARTICULAR TEMPORARY SIGNS

1476. 10.0 ADMINISTRATION AND ENFORCEMENT

- 10.1 BUILDING DIRECTOR
- 10.2 BUILDING DIRECTOR
- 10.3 VARIATIONS

1476. 11.0 VIOLATIONS AND PENALTIES

1476. 12.0 SEVERABILITY

1476. 13.0 REPEAL

1476. 14.0 EFFECTIVE DATE

Be it ordained by the City Council of the City of Berwyn, Illinois as follows:

1476.1.0 Title

This Ordinance shall be known, cited and referred to as the Berwyn Sign Ordinance.

1476.2.0 Purpose and Intent

This Ordinance is enacted for the following purposes:

- 2.1 To protect and enhance the character, property values, and stability of new and existing residential neighborhoods and commercial and industrial districts in the City.
- 2.2 To establish a regulatory framework for the use of signs as an adjunct to economic and social activities of the residents, institutions and businesses of the community.
- 2.3 To conserve the taxable value of land and buildings.
- 2.4 To reduce sign clutter and to eliminate the potential for the distraction of motorists and the degradation of the appearance of the community that results from an excessive number of signs.
- 2.5 To protect aesthetic values and to establish and maintain standards of community appearance with respect to signs, canopies and awnings.
- 2.6 To provide standards and procedures for the removal, elimination or relocation of signs, which fail to conform to those standards as established herein.
- 2.7 To establish an administrative framework for the enforcement of the standards and regulations established herein.
- 2.8 To provide for the licensing of sign contractors.
- 2.9 To further accomplish the general purpose and intent of the Berwyn Ordinance.
- 2.8 To implement, in part, the Comprehensive Plan of the City of Berwyn.
- 2.10 To promote and protect the health, safety, morals, comfort, convenience and general welfare of the people of Berwyn.

1476.3.0 Definitions

Unless otherwise stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated in this Article. Words used in the present tense include the future. Words used in the masculine gender include the feminine and neuter. The singular number includes the plural and the plural the singular. Where terms are not defined herein, they shall have their ordinary accepted meanings or such as the context shall imply.

- 3.1 ABANDONED SIGN. A sign no longer correctly advertising a bona fide business, institution, lessor, owner, product or activity available or located on the premises where the sign is displayed. See also Section 1476.4.9.
- 3.2 ACCESSORY SIGN. All other permanent signs, other than those referred to in Section 1476.4.1 herein, shall be considered accessory signs, including on-site

directional signs for vehicles and pedestrians, parking restrictions, warnings and other similar signs. See also Section 1476. 4.1. and Section 1476. 8.2.

3.3 A-FRAME. (Definition to follow.)

3.4 ARCHITECTURAL MATERIALS shall mean building materials used in or customarily used in the construction of the exterior of a building or the particular materials used in the construction of the exterior of any building which displays a cornerstone as defined herein.



3.4 Awning

3.5 AWNING is a structure, as of canvas, extended before a window, door, etc. as a protection from sun or rain. Any sign which is attached to or made a part of an awning shall be a measured sign for purposes of this Ordinance.

3.6 BACKLIGHTED LETTER is an illuminated reverse channel letter (open or translucent back) configured so light from the letter is directed against the surface behind the letter producing a halo lighting effect around the letter.



3.5 Back lighted Letter

3.7 BANNER SIGN is a sign made of fabric or any non-rigid material with no enclosing framework. A banner sign shall be a temporary sign as regulated by this Ordinance. See also Section 1476.5.8.6.

3.8 BILLBOARD. See Section 1476. 3.36.

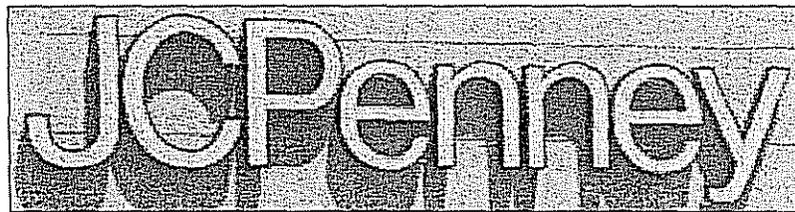
3.9 CABINET SIGN A lettered glass or plastic panel lit by florescent lighting behind. This signage is prohibited in the business districts (C-1, C-2, and C-3).



3.8 Cabinet Sign

3.10 CHANGEABLE COPY SIGN. Any sign on which the message, letters, characters, illustrations or other symbols can be changed, replaced or rearranged on the surface of the sign. This signage is prohibited in the business districts. (C-1, C-2, C-3). See also Section 1476.5.9.

3.11 CHANNEL LETTER is a fabricated or formed three-dimensional letter that may accommodate a light source.



3.10 Channel letters with lighted face

3.12 CITY shall mean the City of Berwyn, Illinois.

3.13 CONSTRUCTION SIGN is a sign identifying the designers, contractor and financiers and other information regarding a project on the site where the sign is located. See also Section 1476.9.2.1.

3.14 CORNERSTONE shall mean a permanent sign showing the name of the building, address, date of construction, name of the architect, name of the owner

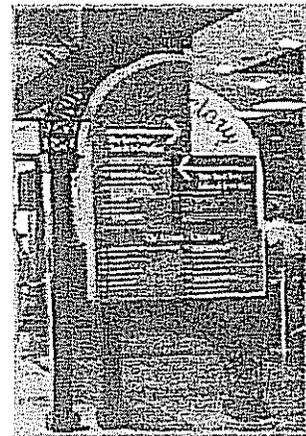
or similar information concerning a building, provided that where such sign is not integral with the design and structure of the building it shall consist of a cast metal plaque or similar object permanently affixed to the building. Included in the definition of cornerstone are the name of the building when presented as a part of the façade of the building, and decorative trim or other decoration device when designed and constructed as an integral part of the building, provided the same is purely ornamental and does not represent any trademark, logotype or other reference to the owner of the building or the products or services offered therein. No cornerstone may be a roof sign, or projecting sign or a painted sign and must be 'part of' as distinguished from 'attached to' a principal or accessory building.

3.15 DETERIORATED. When applied to a sign or sign face shall mean a change in the condition of the sign such that structural members are weakened; fastenings are weakened or loosened; anchors are weakened or loosened; components of the sign such as letters, glass tubing, trim, access plane or other parts have become weakened, loosened, displaced or damaged; paint or other protective covering is worn away, flaked, peeling or loosened in whole or in part; and/or the sign face is flaked, peeling, worn away or damaged. A deteriorated sign or sign component need not be an unsafe sign or component and need not pose an immediate safety hazard.

3.16 DEVELOPMENT SIGN. A monument sign placed at the entrance to a residential, commercial or industrial subdivision, indicating the name of said subdivision.

3.17 DIRECTIONAL SIGN. A sign designating the location or direction of any place or area.

3.18 DIRECTORY. Any permanent, enclosed changeable copy sign used to identify the occupants of a building or group of buildings and their location within the same. See also Section 5.6.

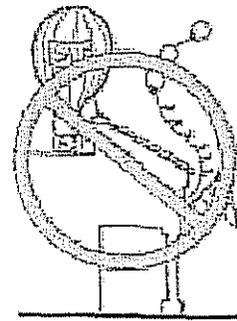


3.17 Directory

3.19 ELECTRICAL SIGN shall mean any sign containing electrical wiring or any sign which is attached to or intended to be attached to an electrical power source including batteries or solar cells or any sign which is lighted by an electrical light source attached to the sign for purpose of providing light upon the sign surface.

3.20 ERECT as applied to signs and as used in this Ordinance, shall mean the act of construction, placing, displaying, erecting, relocating or painting in place a sign, and shall not include the printing fabrication or painting of signs in a sign shop or in a location other than where the sign is to be displayed or any permitted aspect of sign maintenance when applied to an existing sign. Repainting an existing sign constitutes a new sign which requires a permit.

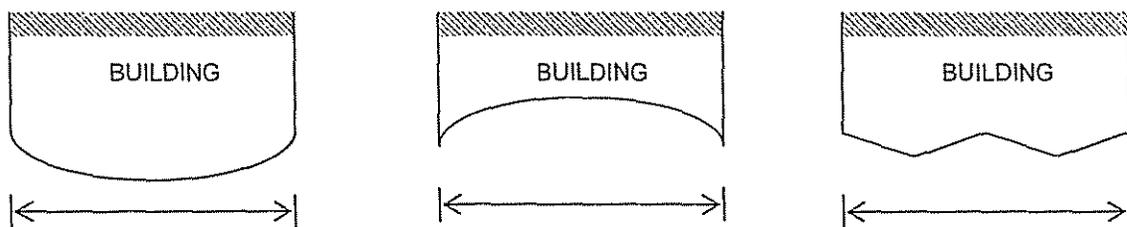
3.21 EYE CATCHER shall mean a temporary sign or device which flutters or moves in the wind, which revolves, moves or changes shape, or which reflects light in a startling or unusual way or which emits light, changes color, or turns on and off in such a way as to attract or capture the attention of a passerby. For the purposes of this definition, it shall not



3.20 Eye Catcher

be a requirement that eye catchers contain or put forth any particular message or other information. However, the presence of a message or other information attached to or incorporated into the design of the eye catcher as defined herein shall not serve to classify it as any type of sign other than an eye catcher. Included here are strings of flags, pennants, whirly gigs, balloons or other inflatable items, or other wind-driven devices, flashing lights, search lights, novelty items or similar devices but without limitation to their being specifically included herein. Said type of sign is prohibited.

- 3.22 FAÇADE shall be all window and wall area in the front plane or elevation of a building or storefront. In the case of a two-story building, only the first level shall be used in calculating the façade area. For purposes of calculating wall signage, if the façade is not a straight line, the façade shall be the lineal distance measured from corner to corner at grade level. See illustrations below.



- 3.23 FIRM shall mean any partnership, corporation, group or association whether constituted on a for-profit or not-for-profit basis.
- 3.24 FLAG shall be a lightweight fabric, or other material with patterns and colors, which is meant to move in the wind. Flags of any political subdivision, corporation, church, nation or organization, or those flags which celebrate a holiday or season are allowed. All other flags are prohibited.
- 3.25 FRONTAGE shall mean, for the purposes of this Ordinance only, a lot line or the length of a lot line, which is also the line of any public street right-of-way other than an alley. The frontage of the lot or parcel that is legally created or described as extending to the center line of a street shall be measured along the line which denotes the edge or boundary of the easement established for the street. The street shall exist or have been created for street purposes and may be a limited access or controlled access roadway but shall not be a utility right-of-way, drainage way, park or railroad and shall not be an alley.
- 3.26 GROUND SIGN. A free standing sign permanently attached to or supported by a foundation. Not attached to any building. Some examples of ground signs include, but are not limited to, pole signs and monument signs.
- 3.27 H-CHANNEL LETTER is a dimensional letter with baffles at the center of the cross-sectional shape for support of neon tubing and mounting of transformers.
- 3.28 ILLEGIBLE when applied to a sign shall mean any sign on which there are missing letters or words, a deteriorated sign face or an obscured sign face such that the recognition of the symbols or words or the cognition of the sign message is not immediate, requires a longer time than would be required if the missing, damaged or obscured parts were repaired or replaced. Any sign on which ten percent of the letters, words or symbols are missing, damaged or obscured shall be considered illegible for purposes of this Ordinance.

- 3.29 LINEAR FEET shall mean the measurement of distance per foot in a straight line.
- 3.30 MAINTAIN shall mean the act of restoring, preserving, refurbishing, cleaning, renewing, painting, repainting, or keeping within the public view the sign or signs.
- 3.31 MARQUEE shall mean and include any fixed hood or canopy, constructed of metal or other incombustible material and extending over the public right-of-way and providing a roof over the entrance of a theater, hotel, motel, restaurant, auditorium or similar use. See also Section 5.11.
- 3.32 MEASURED SIGN. All permanent signs for which this Ordinance establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot.
- 3.33 MEASURED SIGN AREA shall mean the area of the sign face determined in one of the following ways and upon which the regulations of the amount of signage permitted by this Ordinance is based:
- 3.32.1 The measured sign area shall be taken as the area inside a perimeter determined by connecting with straight line segments the extreme outside corners or edges of the sign face. When individual letters are used, the sign area shall be determined by the above procedure and shall include all of the blank space, as well as the individual letters, in the square foot area thus determined.
- 3.32.2 Where the sign contains more than one face facing in the same direction, the perimeter shall enclose all such faces.
- 3.32.3 Where the sign contains identical faces facing in opposite directions, the measured sign area shall only be counted once.
- 3.32.4 All measurements shall be made from the actual sign or from scaled drawings and shall be accurate within one square foot. All measured sign areas are expressed in square feet.

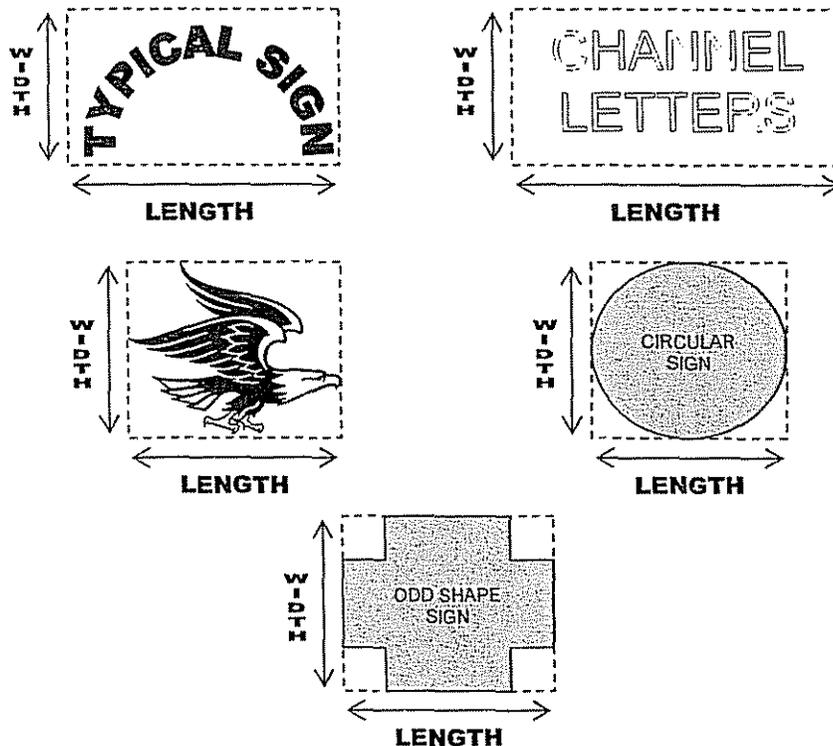


Figure 3.32 Measured Sign Area

3.33 NAME PLATE shall mean a sign containing the name or name, street address and occupation or profession of the occupant of a building.

3.34 OFF-PREMISE SIGN shall mean a sign, other than an outdoor advertising sign, which refers to a place of business or event at a location other than the lot upon which the sign is erected. Off-premise signs are prohibited in the City of Berwyn.

3.33 Monument Sign

3.35 OUTDOOR ADVERTISING SIGN (also "BILLBOARD") shall mean a sign, sign board, wall or other framework, device or other structure erected and maintained for the purpose of displaying commercial and other message for hire. See Sections 1476.4.11 and 1476.4.12. Outdoor advertising signs shall be removed by June 1, 2009.

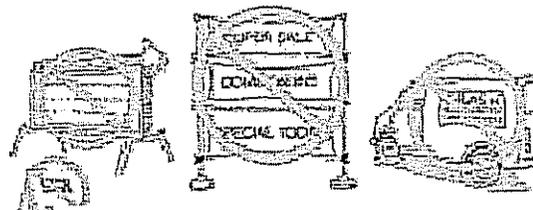
3.36 PAINTED WALL SIGN shall mean any wall sign that is applied directly to the wall or other surface of any existing building or other structure without any support or surface preparation other than paint, primer, or similar products or materials. A painted wall sign is a prohibited sign. Existing painted wall signs shall be removed by June 1, 2009. See Section 1476.4.12.

3.37 PENNANT. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. This is considered an eye-catcher and hence is prohibited.

3.38 PERSON shall mean a person, partnership, corporation, firm, association or other body or individual.

3.39 POLE SIGN is a type of ground sign.

3.40 PORTABLE SIGN shall mean any temporary ground sign or any other ground sign that does not conform to the regulations for sign construction and erection. Portable signs are prohibited in the City of Berwyn. See also Section 1476.4.12.



3.41 Portable Sign

3.41 PROJECTING SIGN shall mean any sign which is attached to a building or other structure and projects into or overhangs the public right-of-way or other public land except that a wall sign the face of which is parallel to the wall upon which it is located and which projects is not more than one foot into the public right-of-way or other public land shall not be considered a projecting sign for the purposes of this Ordinance. Projecting signs are prohibited in the City of Berwyn. Existing projecting signs shall be removed by June 1, 2009.

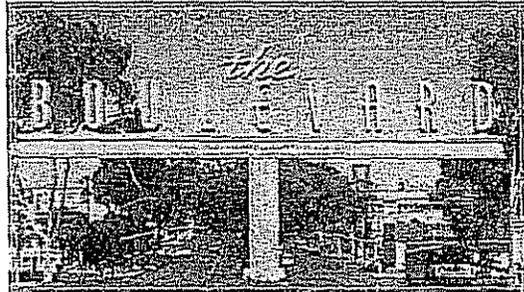
3.42 REAL ESTATE SIGN. Any sign indicating that the premises upon which it is located is available for sale or lease. A real estate sign may be either a ground sign or a wall sign. Real estate signs must conform to the requirements of Section 1476.5.10.

3.43 RELOCATABLE SIGN (Mobile sign) shall mean a permanent sign which is designed to be moved from one location to another for the purpose of advertising events or locations including trailer signs, and including signs that have either a

fixed message or changeable copy message board. Such relocatable signs are prohibited in the City of Berwyn. See also Section 1476.4.12.

- 3.44 REVERSE CHANNEL LETTER is a fabricated dimensional letter with opaque face and side walls.
- 3.45 ROOF SIGN shall mean any sign erected or constructed on or over the roof of any building or other structure or which extends above the cornice line of the building upon which it is located and supported in whole or in part by such building or structure. Roof signs are prohibited in the City of Berwyn. Existing roof signs shall be removed within 60 days of the date of adoption of this ordinance See also Section 1476.4.12.
- 3.46 SIGN shall mean any placard, announcement, illustration, depiction, insignia, banner, fixture, or other object used to advertise or promote the interests of any person, product, event or other activity when placed out of doors or in a window, or other building opening in view of the general public or private property. The term shall include any supporting structure or trim and shall also include any light or sound emitted from such sign or object the purpose of which is to attract attention to the sign and any light or light fixture to sole purpose of which is to illuminate such sign.
- 3.47 SIGNAGE shall mean the collection, aggregation or sum total of signs located on a lot, pertaining to a particular use or class of uses, subject to a particular regulation or standard, or however else aggregated.
- 3.48 SIGN COMPONENTS. For the purpose of this regulation, there are three components to a sign: the sign face, the supporting structure and the structural trim.
- 3.49 SIGN BAND shall mean the horizontal wall area immediately over the storefront and below the second floor line.
- 3.50 SIGN FACE shall mean the surface of the sign upon which the message, logotype, symbol, or other device is located including surrounding moldings, trim, decorative trim or any portion of the sign which is painted with a distinctive color scheme or in colors which contrast in hue or value with the painted or natural colors of the supporting structure or structural trim, if any.
- 3.51 SKELETON SIGN shall mean a measured sign where individual letters are bracketed to a free-standing support. See also Section 1476.5.1.4.3.2.
- 3.52 SNIPE SIGN. A temporary sign or poster affixed to a tree, fence, etc.
- 3.53 SOLID SIGN. For purposes of construction specifications, a non-skeleton sign. See also Sections 1476.5.1.4.3.1 and 1476.5.1.4.3.2.
- 3.54 STRUCTURAL TRIM shall mean any battens, capping, nailing strips, latticing, platforms, railings and light fixtures attached to or used in conjunction with a sign.
- 3.55 SUPPORTING STRUCTURE shall mean all load bearing members including uprights, cross bars, diagonal braces, guys, light fixture supports and similar components. The exposed back of any sign face shall be considered part of the structure.
- 3.56 SWINGING SIGN. A sign that is installed on an arm or mast or spar that is not, in addition permanently attached to an adjacent wall or upright. Swinging signs are prohibited See also Section 1476.4.12.

- 3.57 TEMPORARY SIGN. Any sign irrespective of the type of sign or the materials used for its construction which is restricted by the terms of this Ordinance as to the length of time that it may be erected, maintained, used or displayed. See also Section 1476.4.2, and Section 1476.9.0.
- 3.58 WALL SIGN. Any sign which is attached to and supported by the wall of a building or other structure provided the sign face is parallel to the wall to which the sign is attached. See also Section 1476.5.4.
- 3.59 WINDOW SIGN. Any permanent sign displayed inside the window or a doorway of a building or upon the interior wall of a building opposite a window in such a way as to be clearly visible from the outside. See also Section 1476.5.7.



3 52 Skeleton Sign

1476.4.0 GENERAL REGULATIONS

The standards, regulations and procedures established by this Ordinance shall apply to all signs erected, displayed or maintained in the City of Berwyn, including all exterior signs and all interior signs located in windows, doorways or other building openings which are clearly visible from the building exterior, except for exempt signs as provided in Section 4.10.

4.1 SIGN AREA

- 4.1.1 Wall sign area shall not exceed one and one-half (1.5) square feet per lineal foot of lot frontage. See sections 1476.5.4, 1476.7.1 and 1476.7.2
- 4.1.2 Ground sign area shall not exceed One-half (.5) square feet per lineal foot of lot frontage. See sections 1476.5.5, 1476.7.1 and 1476.7.2

4.2 CLASSIFICATION OF SIGNS

For purposes of this Ordinance, signs are classified into three groups as follows:

- 4.2.1 Measured signs. All permanent signs for which this Ordinance establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot including all business identification and on-premise advertising signs.
- 4.2.2 Accessory Signs. All other permanent signs shall be considered accessory signs including on-site directional signs for vehicles and pedestrians, parking restrictions, warning and similar signs. Any accessory sign that exceeds the size

limitations established by this Ordinance for such signs or any accessory sign which bears a logotype, corporation symbol, or similar device in excess of the standards established for such names shall become a measured sign and part of the regulated area of the signage.

- 4.2.3 Temporary Signs. A temporary sign is any sign irrespective of the type of sign or the materials used for its construction which is restricted by the terms of this Ordinance as to the length of time that it may be erected, maintained, used or displayed. In addition, the term "temporary sign" shall include any sign constructed of temporary, unsubstantial or inherently fragile materials such as paper, cardboard, water soluble paints and other such materials. See also Section 1476.9.0.

4.3 PERMITS

Except as provided in Section 1476.4.11 and Section 1476.9.0, it shall be unlawful for any person to erect, modify, or maintain any measured sign or any temporary sign for which a permit is expressly required without first obtaining a Sign Permit from the City Building Department and making payment of the fee required.

In addition, all electrical signs including otherwise exempt signs, electrical access signs and electrical temporary signs subject to the regulations of the City Electrical Code shall be subject to the permit and fee requirements established therein.

- 4.3.1 Application for Sign Permit. An application for a sign permit shall be made upon forms provided by the City Building Official and shall contain or have attached thereto the following information:

- 4.3.1.1 Name address and telephone number of the person responsible for the erection of the sign.
- 4.3.1.2 Name, address and telephone number of the owner of the sign if different from the above.
- 4.3.1.3 Name, address and telephone number of the owner of the property or building upon which the sign is to be erected, if different from the above.
- 4.3.1.4 The location of the property or building upon which the sign is to be erected.
- 4.3.1.5 A drawing or other representation of the sign, showing the height and position of the sign and its relationship to lot lines, building set back lines, buildings or other structures on the property, if any; and buildings or other structures on the adjoining properties, if any. In the case of a wall sign, the location on the façade must be indicated.
- 4.3.1.6 Two sets of plans and specifications for the sign and its methods of attachment to either the ground or to a building, and one copy of a stress sheet and calculations bearing the seal of an architect, engineer, or manufacturer showing that the sign is designed for dead load and wind pressure as required by the Berwyn Building Code or other applicable ordinances of the City. This requirement may be waived for all wall signs and ground signs where the Building Official finds that he is provided with sufficient information in Section 1476.4.2.1.5 above to determine compliance with all of the requirements of this Ordinance. His determination shall be

based on consideration of location, size, weight, materials and method of attachment, none of which shall represent a threat to public safety.

- 4.3.1.7 Two sets of plans or other diagrams and specifications for all electrical components of the sign and the electrical service to the sign or the Underwriters Laboratories certificate number for the sign in question.
- 4.3.1.8 A written statement of the consent of the owner of the building or other structure or the land upon which the sign is to be erected.
- 4.3.1.9 A signed copy of the insurance policy or bond as required by Section 1476.4.5.
- 4.3.1.10 Such other information as the City Building Official shall require showing full compliance with this Ordinance and all other applicable laws and ordinances of the City.
- 4.3.1.11 A receipt for the full amount of the fees required by this Ordinance and for the erection of a sign and all other applicable ordinances of the City.
- 4.3.2 Signs installed without first obtaining a permit are illegal and shall be removed until such time as a permit is obtained. The permit fee for reinstalling such a sign shall be doubled and subject to fines per section 1444.2, and the sign shall not be reinstalled until such time as all requirements herein are complied with.
- 4.3.3 Issuance of Permits. Upon receipt of the completed application, the City Building Official and the Electrical/Sign Inspector shall review the application, plans, specifications and other information required and shall, where they deem necessary, inspect the site and location of the proposed sign, and upon reaching a determination that the proposed sign meets the requirements of this Ordinance and all other applicable ordinances, shall issue a sign permit. If the proposed sign does not meet the requirements of the ordinance, the applicant shall be informed in writing that his application has been denied.
- 4.3.4 Revocation of Sign Permits. All rights and privileges acquired under the provisions of this Ordinance are mere licenses and are revocable for cause by the Building Director of the City of Berwyn. Further, if the work authorized by the sign permit is not completed within six months of the date of issuance of the permit or by the agreed date for the completion of the sign as shown on the permit, such permit shall become null and void. The Building Director may, upon written request, grant an extension of the completion date of up to three months.

4.4 SIGN CONTRACTOR REGISTRATION

- 4.4.1 Registration Required. No person or firm shall perform any work or service for any other person, with or without compensation in connection with the erection, relocation, construction, reconstruction or maintenance of a sign as regulated by this Ordinance unless the person or firm performing the work is a registered sign contractor with the City of Berwyn.
- 4.4.2 Exception. Notwithstanding the above requirement, a general contractor, or appropriate subcontractor may, in the normal course of the construction of a building, erect, construct or install a cornerstone or similar devices as provided in Section 1476.4.11.
- 4.4.3 Application. Application for a sign contractor registration shall be made in writing to the City Collector and shall be accompanied by a statement of the applicant's

qualifications, competency, the required license fee and bond or insurance policy as provided below.

4.5 INDEMNIFICATIONS

- 4.5.1 Sign Contractor's Indemnification. All persons engaged in the business of erecting or maintaining signs in the City of Berwyn which involves, in whole or in part, the erection, installation, relocation, maintenance of a sign or other sign work immediately adjacent to a public right-of-way or in, over, or immediately adjacent to other public property so that a portion of the public right-of-way or public property is used or encroached upon by the sign contractor, shall agree to hold harmless and indemnify the City of Berwyn, its officers, agents and employees from any and all claims of negligence or damage suffered resulting from the erection, alteration, relocation, maintenance or other sign work insofar as this Ordinance has not specifically directed the placement of a sign.
- 4.5.2 Bond Requirements. Every applicant for a permit required by this Ordinance shall, before the permit is issued, file with the City Collector, a license bond in the sum of \$25,000 executed by the applicant and an approved surety company, and conditioned on the faithful observance of this Ordinance and all amendments thereto and to the terms and conditions of any variations granted hereto and to any other law and ordinance of the City relating to signs, other advertising structures, marquees or awnings, of said applicant, or by reason of any damages or injury wrongfully caused by or resulting there from. In addition, a certificate of liability insurance issued by an insurance company authorized to do business in the State of Illinois, with bodily injury limits of at least \$1,000,000 per occurrence, and \$1,000,000 aggregate and property damage insurance of at least \$500,000 per occurrence and \$500,000 aggregate. Registered sign contractors shall not be required to file such bond or liability insurance policy for each sign permit provided that the bond and policy is filed with the application for the contractor's registration and faithfully and continuously renewed. Such insurance shall not be cancelled or reduced without the insured giving thirty days written notice to the City of Berwyn of such cancellation or reduction.

4.6 FEES FOR SIGN PERMITS

Fees for all required permits, plan reviews, inspections, electrical permits for signs, and annual fees on variances shall be paid in accordance with Chapter 1444 of this code.

4.7 INSPECTIONS

All signs shall be subject to an initial inspection as provided herein and no person shall put into use or maintain in use any sign until a certificate of inspection has been affixed to the sign permit by the Berwyn Building Department.

- 4.7.1 Owner's Obligation. Whether or not an annual license or permit is required or issued, it shall be the obligation of the owner of any sign to maintain such a sign in conformance with the provisions of this Ordinance at all times.

4.8 MAINTENANCE OF SIGNS

All signs shall be maintained in a safe, legible and good condition.

- 4.8.1 Safety. All signs shall be maintained to the same structural standards by which they were approved or, in the case of nonconforming signs, the standard by which they would have otherwise been approved. All metal parts which are subject to rust or corrosion shall be painted at all times, all anchors and other fastenings shall be maintained in a secure and functioning condition capable of sustaining the loads for which they were designed. All sign faces shall be smooth and free from nails, tacks, wires, splinters and other hazards.
- 4.8.2 Legibility. All signs shall be maintained in a legible condition. Painted signs shall be repainted at such times as the deterioration of the paint results in illegibility or disfiguration. Repainting an existing sign constitutes a new sign which requires a permit.
- 4.8.3 Condition. All glass panes or panes of other materials that comprise the sign face shall be immediately replaced if broken. All electrical components, switches, lamps, relays, fuses and similar devices shall be maintained in good working order.

4.9 NONCONFORMING SIGNS

Any sign which was erected prior to the adoption of this Ordinance or any sign that was erected in conformance with the requirements of the sign ordinance in effect at the time of its erection but which fails to meet the size, location or other applicable requirements of this Ordinance, may be used, maintained, reused or relocated only in conformance with the following regulations:

- 4.9.1 Inspections. All nonconforming signs of a type for which an annual license is required shall be inspected and any deficiencies in the condition of the sign shall be corrected as provided in Section 1476.4.8.
- 4.9.2 Fees. All nonconforming signs of the types for which annual license fees are established as provided in Section 1444, shall be charged such fees. Failure to pay such annual fees in the manner prescribed shall be cause for the immediate removal of a nonconforming sign.
- 4.9.3 Removal of Nonconforming Signs. Notwithstanding the requirement for the payment of annual license fees, the following particular nonconforming signs shall be removed, relocated or rebuilt in a conforming manner in accordance with the following regulations:
 - 4.9.3.1 Signs in which the sign face has been altered or replaced.
 - 4.9.3.2 Signs that are altered in any way except for normal maintenance and repair.
 - 4.9.3.3 All nonconforming signs or all components of nonconforming signs which are prohibited signs as provided in Section 1476.4.12 other than signs described herein shall be removed as provided in Section 1476.4.9.4 below and shall not be re-established.
 - 4.9.3.4 All nonconforming signs, which are abandoned signs as provided in Section 1476.4.10, shall be removed immediately upon passage of this ordinance.
 - 4.9.3.5 Any existing sign that the Traffic Bureau of the Berwyn Police department finds to be nonconforming with respect to Section 1476.5.2.7 shall be

- removed immediately following notification by the Traffic Bureau. Such signs may be relocated or re-erected in a conforming manner.
- 4.9.3.6 The nonconforming signs of any business or other legal entity which ceases the activities to which the signs apply or which is replaced by a different business or other entity shall be removed, relocated or rebuilt in a conforming manner. Relocating or rebuilding a sign constitutes a new sign which requires a permit.
- 4.9.3.7 The nonconforming signs of any business or other activity which changes ownership but which continues the operation of the business or activity may be continued as legal nonconforming signs for a period of ninety (90) days.
- 4.9.3.8 All temporary nonconforming signs shall be removed and shall not be re-established except in compliance with this Ordinance immediately following the date of the event to which the signs pertain or, in cases where no such date is specified, either by ordinance or by permit, within thirty (30) days.
- 4.9.3.9 Any nonconforming sign, which the Building Official finds to be unsafe, shall be removed immediately.
- 4.9.4 Amortization of Nonconforming Signs. Not later than two years from the date of passage of this Ordinance, all nonconforming signs must be removed or brought into full compliance with the requirements herein.

4.10 ABANDONED SIGNS

The following regulations shall govern abandoned signs:

- 4.10.1 Abandoned Signs defined. For the purpose of this Ordinance, the following signs shall be deemed abandoned:
- 4.10.1.1 Any sign, which is located on property which becomes vacant and which remains vacant for a period of 30 days except that real estate signs in accordance with Section 1476.5.10 may be displayed thereon.
- 4.10.1.2 Any sign, wherever located, which refers to a business or other activity, which has become vacant and remains vacant for a period of 30 days.
- 4.10.1.3 Any sign, other than a real estate sign, which refers to a property, location or activity which has become vacant and remains vacant for a period of 30 days.
- 4.10.1.4 Any sign for which an annual permit or license fee is charged and where the owner of such sign fails to obtain such permit or license within 60 days of inspection and proper notification.
- 4.10.1.5 Any sign announcing an event or the date or dates of an event which has passed, except permanent signs announcing the opening of a new business or activity provided that the references to the dates of the opening are removed upon opening. See also Section 1476.9.2.2.4.
- 4.10.1.6 Any dilapidated, deteriorated, unreadable, illegible, structurally unsound, or unsafe sign.
- 4.10.2 Removal of Abandoned Signs. It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign either immediately or within the time period otherwise established in Section 1476.4.10.1 above. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure and structural trim. Where the owner of the property on which an abandoned sign is located fails to

remove such sign in a timely manner, the Building Official may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property. Where the owner fails to pay, the City may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.

4.11 EXEMPTIONS

The provisions and regulations of this Ordinance shall not apply to the following signs; provided, however, that such signs shall be subject to the Berwyn Electrical Code, the regulations governing the removal of unsafe and unlawful signs, and the regulations herein.

- 4.11.1 Traffic control signs, warning signs and temporary construction and routing signs erected, maintained or operated by a governmental agency in conformance with the Manual for Uniform Traffic Control Devices.
- 4.11.2 Signs authorized and erected by the City of Berwyn, including public notices posted by public officials or employees in the performance of their duties.
- 4.11.3 The signs of any other governmental agency erected and maintained in the furtherance of agency's official mission, duties and responsibilities.
- 4.11.4 Warning signs placed by utility companies or others in areas of danger that are accessible to the public.
- 4.11.5 Identification tags, labels, plaques and signs used by utility companies and other organizations to identify fixed operating equipment and for similar purposes.
- 4.11.6 Outdoor advertising sign (including legal nonconforming outdoor advertising signs) erected and maintained in conformance with the Outdoor Advertising Ordinance of the City of Berwyn.
- 4.11.7 Cornerstones as defined in Section 1476.3.
- 4.11.8 Homeowner's signs indicating items of personal property "for sale", "beware of dog", "no trespassing" and similar signs may be displayed upon residential property provided such signs pertain to an actual offering for sale or announce an actual warning and provided further that such signs do not exceed two square feet in area and are not located in any required yard.
- 4.11.9 Political signs may be displayed without permit provided that such signs are not located in the public right-of-way, attached to utility poles or trees and provided further that such signs are erected not more than sixty (60) days prior to the applicable election or referendum and are removed within four (4) days after the election or referendum.
- 4.11.10 Religious signs may be displayed without permit provided that such signs are not located in the public right-of-way or attached to utility poles or trees. Not included in this exempt section are signs identifying places of religious worship, which are considered measured signs and included in the terms of this ordinance.
- 4.11.11 Real estate signs in conformance with the requirements of Section 1476.5.10 herein.
- 4.11.12 Seasonal decorations, including items of a primarily decorative nature associated with national, local or religious holidays. Such seasonal

decorations visible from the public right-of-way shall be removed within thirty (30) days after the event.

- 4.11.13 Snipe signs and temporary signs advertising garage sales, estate sales, bazaars, and rummage sales and similar events may be displayed during the time of the event. Such signs shall not be attached to any utility poles, light standard, tree, or placed in any right-of-way.
- 4.11.14 Temporary window signs of non-permanent materials such as paper, poster board or similar materials may be displayed in any window provided such signs do not occupy more than 20% of the area of the window. However, such signage may not obscure entry areas or prevent the general public or public safety personnel from viewing interior or exterior activity.
- 4.11.15 Signs on vehicles provided such signs are not relocateable signs as regulated by this Ordinance and provided further that such vehicles are fully operable and licensed by the State of Illinois and are being operated in normal and customary fashion. Such signs are limited by the provisions of Section 1476.4.12.7 herein.
- 4.11.16 Flag displays limited to the flags of the United States of America, the armed services, other national agencies, departments, state flags, city flags and corporate or institutional flags, provided such corporate or institutional flags are no larger than any of the other exempt flags in the same display.
- 4.11.17 Construction signs. See Section 1476.9.2.1 for requirements.
- 4.11.18 Any sign designated by the Historic Preservation Commission as having a historic quality.

4.12 PROHIBITED SIGNS

The following signs, parts of signs, characteristics of signs, and sign-like objects are prohibited and may not be erected, maintained, continued or used in the City.

- 4.12.1 Any sign or similar object, color, light, shape or combination thereof which resembles an official traffic control device or sign, or is a representation of such a traffic control device or sign.
- 4.12.2 Any obscene language or graphic material or other representation of an obscenity or obscene act.
- 4.12.3 Any sign, signal or similar device which emits music, speech, simulated speech or any other sound on a regular or intermittent basis.
- 4.12.4 Any sign affixed to a tree.
- 4.12.5 Any sign affixed to a utility pole, public light or street light, traffic control device or similar standard used for lighting, such as parking lot lights.
- 4.12.6 Any sign or similar device, which contains a strobe light or any other high intensity light, which is emitted on a periodic or intermittent basis, or any such light used as an eye catcher.
- 4.12.7 Any sign attached or painted onto an inoperable or unlicensed motor vehicle or any sign attached to a licensed vehicle within 50' of the public right-of-way or on the property to which the sign thereon refers.
- 4.12.8 Any outdoor advertising sign which is not a permitted sign (including legal nonconforming outdoor advertising signs) under the Berwyn Outdoor

Advertising Sign Ordinance, or any outdoor advertising sign which is not an exempt sign as provided in Section 1476.4.11 above.

- 4.12.9 Bench signs.
- 4.12.10 Cross-Street Banners. Banners strung across the public right-of-way are prohibited.
- 4.12.11 Moving or rotating signs.
- 4.12.12 Eye catchers as defined in Section 1476.3.0.
- 4.12.13 Any off-premise sign as defined in Section 1476.3.35.
- 4.12.14 Portable signs as defined in Section 1476.3.0.
- 4.12.15 Painted wall signs as defined in Section 1476.3.0.
- 4.12.16 Projecting signs.
- 4.12.17 Relocateable (mobile) signs as defined in Section 1476.3.0.
- 4.12.18 Roof signs as defined in Section 1476.3.0.
- 4.12.19 Swinging signs as defined in Section 1476.3.0.
- 4.12.20 Larger than life size inflatable and/or plastic figures representing tradespersons, animals, products or other figures commonly associated with a particular business or occupation.
- 4.12.21 Any sign painted on the roof of a building, pavement or other surface or structure.
- 4.12.22 Any otherwise exempt sign, which exceeds the regulations or restrictions for size, location or time of display, placed on such exempt signs by Section 1476.4.11.

4.13 REMOVAL OF SIGNS

Signs required to be removed by this Ordinance shall be removed in accordance with the following regulations:

- 4.13.1 It shall be the responsibility of the owner of the property upon which a sign is located to remove such sign as required by this Ordinance, except that where a sign is a leased sign being maintained under the terms of a current lease, it shall be the responsibility of the owner of the same sign to remove same. In any case in which a sign has been removed by the Building Official or by a private contractor at the direction of the Building Official in accordance with the provisions of this Ordinance, any cost directly incurred in the removal of such sign shall be charged to the owner of the property. If the owner fails to pay such costs to the City within thirty days, then the City may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.
- 4.13.2 Nonconforming signs shall be removed in accordance with the provisions of Section 1476.4.9 and this Section.
- 4.13.3 Abandoned signs shall be removed in accordance with the provisions of Section 1476.4.10 and this Section.
- 4.13.4 Prohibited signs and other signs erected subsequent to the passage of this Ordinance and found to be in violation of this Ordinance shall be removed by the owner of such sign within thirty days of receiving notice of such violations. If after thirty days such sign has not been removed, the Building Official may remove it as provided in Section 1476.4.10.2, above.

- 4.13.5 Any permitted or prohibited sign that becomes a danger to the public, because of damage to or deterioration of the structure must be removed immediately. Where the owner cannot be immediately contacted, the Building Official may order such sign removed as provided in Section 1476.4.10.2, above.

1476.5.0 REGULATIONS FOR PARTICULAR SIGNS

The following regulations shall govern the design, erection and maintenance of the various types of signs wherever permitted.

5.1 SIGN CONSTRUCTION

All signs other than temporary signs shall be constructed in conformance with the following regulations:

- 5.1.1 All wall sign, ground sign, monument sign, directory, or any other measured sign shall be designed by an architect, structural engineer or manufacturer and must be in compliance with the building code of the City of Berwyn.
- 5.1.2 All electrical signs shall bear the seal of Underwriters Laboratories or an equivalent agency engaged in practice of making safety inspection and certifications of electrical equipment.
- 5.1.3 Construction specifications
- 5.1.3.1 All ground sign structures shall be self-supporting structures and permanently attached to sufficient foundation which shall include architectural treatments such as brick or stone.
- 5.1.3.2 Electrical service to ground signs shall be buried or otherwise concealed.
- 5.1.3.3 All signs, except those attached flat against the wall of a building shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade:
- 5.1.3.3.1 For solid signs, 30 pounds per square foot on the largest face of the sign and structure.
- 5.1.3.3.2 For skeleton signs, 30 pounds per square foot of the total face cover of the letters and other sign surfaces, or 10 pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.
- 5.1.3.4 No sign shall be suspended by chains, or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
- 5.1.3.5 Support and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view.
- 5.1.3.6 All signs shall be marked with the manufacturer's name in a size easily visible from the ground. All electric signs shall also include: for incandescent lamps, the number of lamp holders; for electric discharge lamp signs, the input amperes at full load and the input voltage.

5.2 SIGN ERECTION

All signs shall be erected in accordance with the following regulations:

- 5.2.1 Wall signs. All wall signs shall be safely and securely attached to the building by means of metal anchors, bolts or expansion screws or other fastening approved

by the Building Official and imbedded in the wall. However, such signs may rest or be bolted to heavy metal brackets or saddles each of which shall be attached to the wall as provided above. In no case shall any sign be secured to a building with wire, strips of wood or nails. The Building Official shall approve the methods and materials used in the erection of all wall signs.

- 5.2.2 Pole signs. All pole signs, directories and similar approved free standing signs shall be erected on posts or standards extending at least 72" below the natural surface of the ground. All posts or standards shall be protected from moisture and corrosion below grade.
- 5.2.3 Ground Signs. All ground signs and similar approved free standing monument signs shall be secured to a brick/stone base which in turn will be secured to a concrete foundation extending at least 42" below the natural surface of the ground.
- 5.2.4 Window Signs. All window signs other than painted signs shall be safely and securely attached to the window frame or other structural member and shall not be fastened to the glass. No window sign shall be located in such a way as to block or prevent ingress or egress through any window, doorway or any required fire opening.
- 5.2.5 Safety. All signs shall be installed and maintained in a workmanlike manner using equipment, which is adequate and safe for the task. The Ordinance recognizes that one of the greatest perils to public safety is improper performance of sign contractors in the use of inadequate equipment. As such, the Building Official may deny a sign permit if the sign contractor does not have or does not arrange for the use of adequate equipment. The Building Official may also cite the sign contractor for a violation of this Ordinance if he fails to use proper equipment in the maintenance of a sign.
- 5.2.6 Electric Signs. This Ordinance recognizes that electric signs are controlled under the special equipment provisions of the Berwyn Electric Code. It also recognizes that the electric sign contractors have developed a specialized trade of high voltage discharge electric sign installation and maintenance to properly install and service high voltage electric signs. Electric sign contractors and their employees are hereon authorized to perform the following specific tasks:
 - 5.2.6.1 Install exterior electric signs, ballasts, or high voltage transformers to sockets or outline lighting tubes, and may connect said signs to primary branch circuits, if said circuits already exist outside of the building.
 - 5.2.6.2 Install interior electric signs, but may not connect said signs to the primary branch circuit.
 - 5.2.6.3 Maintain and replace any electric component within the sign, on its surface, or between the sign and building for exterior signs only. This Ordinance prohibits the electric sign contractor or its employees from performing work on electric signs in contradiction to the Berwyn Electric Code.
- 5.2.7 Location. All signs shall be located in conformance with the requirements of Section 1476.5.0 and 1476.6.0, In addition, signs shall be located so as to provide for the clear view of any traffic control sign or device and no sign shall be erected so as to obscure such a device or so as to create a situation in which it is difficult to distinguish the traffic control device from the sign. The location of any sign at

an intersection at which there are traffic signals shall first be approved by the Traffic Bureau of the Berwyn Police Department.

5.3 LIGHTING

The lighting of all signs shall conform to the following regulations:

- 5.3.1 Signs may be lighted internally or externally with a lighting fixture the sole purpose of which is to light a sign. The lighting fixture shall be construed, for purposes of this Ordinance, to be a part of the sign.
- 5.3.2 All external lighting fixtures and reflectors shall be provided with the proper glass lenses or hoods concentrating the illumination on the area of the sign and preventing glare upon the street or other adjacent property. No floodlight or spotlight of the simplified industrial type shall be permitted.
- 5.3.3 The lettering or advertising designs to be illuminated internally may be composed of glass or other transparent or translucent material provided that any glass forming the sign face shall be laminated safety glass, tempered glass or wired glass at least one-quarter inch thick.
- 5.3.4 All lighting fixtures and all electrical service may be approved by the Electrical Inspector if they conform to the Berwyn Electrical Code.
- 5.3.5 Under no circumstances shall signs or sign components be used as site lighting or exterior lighting.

5.4 WALL SIGNS

- 5.4.1 Definition. Wall sign shall mean any sign, which is attached to and supported by the wall of a building or other structure provided the sign face is parallel to the wall to which the sign is attached. Further, where the wall treatment of a building establishes a sloping wall or a "mansard roof" wall treatment, a wall sign may be located on such a sloping surface or "roof". The face of a sign located on a sloping roof may be vertical and need not parallel the sloping surface of the wall.
- 5.4.2 Size. See Section 1476.4.1.
- 5.4.3 Location.
 - 5.4.3.1 A wall sign shall not project more than one foot from the wall to which it is attached.
 - 5.4.3.2 A wall sign shall not cover partially or wholly any wall opening.
 - 5.4.3.3 A wall sign shall not project beyond the ends of a wall to which it is attached nor shall it project above the lowest point of the eaves or the cornice line or cap of the wall to which it is attached.
- 5.4.4 No wall sign can project into or overhang the public right-of-way or other public property.
- 5.4.5 No wall sign shall be located so as to prevent fire access from any door, window or fire escape.

5.5 GROUND SIGNS

- 5.5.1 Definition. Ground sign (or pole sign) as permitted by this Ordinance shall mean a sign permanently attached to or supported by a foundation in the ground.

- 5.5.2 Design. The primary supporting structure (uprights) of a ground sign shall be constructed from circular, square or rectangular sections of steel, wood, brick, stone or other material approved by the Building Official. All secondary supporting members, braces, guys, structural iron, flanges, and electrical components shall be concealed. All exposed structural materials or covering materials shall have a permanent finish and shall be maintained in a safe condition as provided in Section 1476.4.8. The base of any vertical ground sign shall be landscaped with a planting of low evergreen shrubs or other decorative screening for the foundation but not to exceed four feet in height. The landscaped area shall equal one square foot for every square foot of sign face.
- 5.5.3 Height of Ground Signs. A ground sign shall have no part of the sign higher than the height of the principal building on the lot.
- 5.5.4 Location. Ground signs shall be located within the property lines and no part of the sign shall overhang the public right-of-way or any adjoining property. The following additional regulations shall apply to the location of ground signs:
- 5.5.4.1 In all residential districts, ground signs shall be set back five feet from the public right-of-way.
- 5.5.4.2 A ground sign shall not be located within 100 feet of any other ground sign on the same lot or zoning lot.
- 5.5.4.3 In any yard adjoining the intersection of street, alleys or driveways, a ground sign shall be designed or located in such a way that it does not interfere with the clear view of motorists and pedestrians. Such sign shall be three feet in height or less or shall be set back from the intersection in such a way as to maintain the clear view of the intersection by both motorists and pedestrians. At minimum in intersection situations, the sign shall not be placed within a sight triangle having one side along the property line or sidewalk a distance of 15 feet from the intersection; the second side along the other property line, sidewalk, alley or driveway a distance of 15 feet from the intersection, and the third side along a line between the two points on the other two sides which are 15 feet from the intersection. The following exceptions may be permitted by the Building Official where he finds that the resultant sign will not obscure vision at the intersection: an accessory sign of four square feet or less or a ground sign supported by a structure having a width of eighteen inches, when measured at the widest point, or less and the lowest point of the sign at least ten feet above grade.

5.6 DIRECTORIES

- 5.6.1 Definition. Directory shall mean any permanent, enclosed changeable copy sign used to identify the occupants of a building or group of buildings and their location within the same or similar events where such sign is located on the same premises as the building or buildings and where such sign contains no more than eighteen square feet of measured sign area.
- 5.6.2 Location
- 5.6.2.1 In districts for which there is no required front yard, directories may be located at the property line. In all other areas, directories shall be set back at least five feet.

- 5.6.2.2 There shall be no more than one directory for each street that the lot or building fronts upon, except that where a building adjoins one or more additional streets, one additional directory shall be permitted for each such street face that contains a point of public access to the building.
- 5.6.2.3 Additional directories may be erected when located within the building lines established for the lot upon which they are located, provided that such additional directories shall be counted as measured signs.

5.7 WINDOW SIGNS

- 5.7.1 Definition. Window signs shall mean any permanent sign or similar device displayed inside the window or a doorway of a building or upon the interior wall of a building opposite a window in such a way as to be clearly visible from the outside.
- 5.7.2 Any permanent window sign, any window sign constructed of permanent materials or any lighted window sign is a measured sign. No window sign shall have a total measured sign area in excess of twenty percent (20%) of the opening in which it is located except that neon borders or other decorative borders on a transparent window shall be measured using the actual area of such borders rather than measured sign area as defined in this Ordinance. Such signage may not obscure entry areas or prevent the general public or public safety personnel from viewing interior or exterior activity at the location. Any neon borders shall be protected by a clear Plexiglas cover that will prevent contact with the neon tube and/or the splices made to the neon tube. The Plexiglas shield shall be placed away from the neon tube and/or splices to provide for ventilation and to prevent the buildup of heat. All neon transformers and wiring shall be adequately supported and installed in a good and workmanlike manner and be secure from the public.

5.8 AWNING SIGNS

Any sign which is attached to or made a part of an awning shall be a measured sign for purposes of this Ordinance. A sign located on an awning shall be affixed flat to the surface thereof, be non-illuminated, and shall indicate only the business name, address, phone number, website and one logo. Awning scale and proportions are to be appropriate for the building on which they are mounted. Awnings must be uniform in size, shape (except for arched openings, see "Forms" below) and color in order to unify multiple storefronts within a single building. The length of the awning is to be restricted to the length of the storefront opening. Awnings must not continue over masonry piers. The vertical and horizontal dimension should be proportional to the overall projection of the awning.

- 5.8.1 Projection. Awnings may project a maximum of 54 inches. Projection depth should match the existing adjacent awnings provided they comply with the acceptable minimum projection. Awnings should be placed at a minimum height of 8 feet above the sidewalk. If awnings are lit, it should be from an outside source. No backlit awnings are allowed.
- 5.8.2 Forms. Awning forms are to conform to the general shape of the opening. Arched openings are to receive ½-round domed awnings, whereas rectangular openings

are to receive rectangular, gently sloping; planar forms with closed ends. Valances may be fixed or loose. Bubble awnings are prohibited.

- 5.8.3 Mounting. Awnings may be fixed or retractable. Retractable awnings must be kept either in the fully projected position or the fully closed position. Fixed awnings are to have concealed rigid metal frames. Retractable awnings should have a canopy cover and automatic retractable rollers mounted to the building. Under panels are not desired. Frames should be painted to match or complement the color of the awning cover material or its underside.
- 5.8.4 Materials. The awning material should be taut, not relaxed. Awning materials may include matte finish painted army duck, vinyl-coated cotton, acrylic-coated polyester, and vinyl-coated polyester or cotton and solution-dyed acrylic. All awnings shall be restricted to cutout lettering, heat color-transfer, pressure sensitive vinyl films or sewn appliqué signs. All awnings located on the same building must be the same material and lettering.
- 5.8.5 Colors. Awning and banner colors must take into account the color selection of the surrounding materials, buildings, signs, awning, of the retailer/user and district. All awnings located on the same building must be the same color. Colors should enhance and complement the building.
- 5.8.6 Banners. Banners may be location, event, holiday or sponsor specific and are temporary signs as defined by this ordinance. Banners are to be secured to building walls or mounted on existing poles by fixed brackets and hardware.
- 5.8.7 Compliance. All new or replacement awnings and banners must comply with all applicable City codes.

5.9 CHANGEABLE COPY AND ELECTRONIC MESSAGE SIGNS

Any permanent changeable copy signs are measured signs and are permitted subject to the restrictions for measured signs as provided in this Section, Section 1476.9 and this Ordinance generally and subject to the following regulations:

- 5.9.1 Definition. Changeable copy sign shall mean any sign on which the message, letters, characters, illustrations or other symbols can be changed, replaced or rearranged on the surface of the sign. Included in this definition are time and temperature clocks with digital displays, electronic message boards, changeable displays of product prices and permanent changeable copy boards.
- 5.9.2 Electronically controlled message signs. No message, word or symbol may be displayed for a period of less than four (4) seconds duration. "Rolling" messages, words or symbols that appear to be animated, move, scroll, blink or flash are not permitted. All message, words or symbols displayed must relate only to goods or services offered on the same lot or to community service announcements.
- 5.9.3 Location. Changeable copy signs are permitted as or as part of any permitted wall sign or ground sign subject to the regulations established for such signs.
- 5.9.4 Maintenance. In addition to the general requirements for sign maintenance, all changeable copy signs shall bear a legible message, other suitable display or left blank. Electronic devices when not in use may be left blank and unlighted. Any lighted or electronic changeable copy sign in which the electrical or lighting components are operating in an erratic, broken or damaged fashion shall be turned off or removed.

5.10 REAL ESTATE SIGNS

- 5.10.1 Definition. For purposes of this regulation, real estate signs shall mean any non-illuminated sign indicating that the premises upon which it is located are available for sale or lease. No more than one real estate sign shall be erected on any property, except that twenty-four hours prior to a formal public showing of the property, an "Open House" sign may be erected. Said "Open House" sign must be removed by 6:00 p.m. the day of the showing. Banners, flags, bunting or other adornments may only be used in conjunction with an "Open House" sign, and only during the specific hours of the formal public showing of the property. The sign area shall not exceed four square feet in residential districts, except that a "rider" not exceeding six inches in vertical height, by the horizontal length of the sign may be added. The sign area shall not exceed thirty-two square feet in all other districts. Such signs shall also conform to all other Code requirements, including the City of Berwyn Zoning Code. In commercial districts, real estate signs shall be considered a measured sign, and a permit shall be obtained from the City of Berwyn.
- 5.10.2 Design. A real estate ground sign may consist of a sign face of wood, metal or other material; surrounding trim and supporting uprights and braces must be securely anchored in the ground. The top of the supporting uprights of the sign shall be no more than 4' off the ground in areas zoned residential. In areas zoned commercial, no real estate sign shall exceed a maximum height of six feet above the existing grade at the point of erection. . A real estate wall sign may consist of a sign face of wood, metal or similar material and surrounding trim securely anchored to the wall of the building. The construction and erection of all real estate signs shall conform to the requirements of Sections 1476.5.1 and 1476.5.2 of this Ordinance.
- 5.10.3 Location. Real estate signs located in areas zoned residential shall be erected parallel to the front side of the main residential building located on the property. The sign shall be placed no more than three feet from the front foundation wall of said building. However, if landscaping or other natural obstructions preclude visibility of the sign, it may be placed immediately in front of the obstruction.

Real estate signs located in areas zoned commercial or industrial shall be erected parallel to the public right of way and shall be placed no less than five feet from the property line.

Real estate signs located on any property in areas zoned residential, commercial or industrial, where the building is situated on the property in such a way that it abuts the front property line or is set back less than the required minimum from the front property line, may be attached to either the front or side of said building

Real estate signs may be displayed only from the time of offering until forty-eight hours after closing or the execution of a lease.

5.11 MARQUEES

- 5.11.1 Definition. Marquee shall mean and include any fixed hood or canopy, constructed of metal or other incombustible material and extending over the public right-of-way and providing a roof over the entrance of a theater, hotel, motel, restaurant, auditorium or similar use.
- 5.11.2 The roofs of marquees shall be used for no other purpose than to form and constitute a roof, and may be opaque, translucent or transparent. The roof of a marquee shall not bear or carry any sign or other advertising device.
- 5.11.3 Location. A marquee may be constructed over that portion of the public right-of-way, which is a sidewalk. No marquee shall extend beyond the curb line of the street. A marquee shall be at least ten feet above the sidewalk. No marquee shall extend above the sill line of windows on the second story of a building to which it is attached or above the cornice line of a one-story building.
- 5.11.4 Erection. No marquee shall be attached to the ground, but shall be supported entirely by the building to which it is attached.
- 5.11.5 Signs on Marquees. Signs on marquees shall be measured signs and shall be subject to the regulations for sign area established in Article 7. No sign shall be located on the roof of a marquee nor be suspended from a marquee so as to have a clearance of less than ten feet.

1476.6.0 SIGNS PERMITTED ON CERMAK ROAD

Signs, which are erected on Cermak Road, shall be subject to separate regulations than those that are listed generally within this Ordinance. Measured signs, as defined in Section 1476.4.1.1 may not be erected or maintained on any lot in excess of the limitations established in this Ordinance regarding size, type, location, number and total area of signs for Cermak Road. Accessory signs are permitted in addition to the limitations placed on measured signs in accordance with the provisions of Section 1476.8.0. Temporary signs are permitted in addition to the limitations placed on measured signs and for a specific period of time in accordance with the provision of Section 1476.9.0. Signs erected in the downtown will also be subject to review and approval by the Berwyn Main Street Foundation.

Commercial signs on Cermak Road should reflect the character of the building style, while expressing each store's individuality. There are several prominent sign styles that are appropriate: surface mounted, pin-mounted signs, interior, and decal signs. Sign materials are limited to painted wood, canvas, architectural glass and metal. Sign color is to be selected to harmonize with the building upon which it is mounted and the immediately adjacent structures. Lettering color can be unique to the image of the retailer/user. Natural metal sign and plaque material such as brushed bronze, antique bronze, aluminum, stainless steel and painted cast iron or similarly appearing materials are preferred. Highly reflective metallic signs are not allowed. Signs should be back-lit or lit by marquee or spot lighting. Internally-lit cabinet signs (with a lettered glass panel) are strictly prohibited. Spot lighting should be minimal and unobtrusive and shall not be visible from any street, sidewalk or dwelling. Simplified industrial light fixtures are strictly prohibited. Contextual solutions are recommended. The majority of the signs will be

mounted within the building's sign band, defined as the wall area immediately over the storefront and below the second floor line.

6.1 INDIVIDUAL SIGN AREA AND HEIGHT RESTRICTIONS

The measured sign area of any individual wall sign located on Cermak Road shall not exceed the requirements set forth below for each type of sign.

- 6.1.1 **Surface-Mounted Commercial Signs.** These signs are either fabricated from painted wood or cast metal plaques and are to be mounted within the sign band or within the storefront transom. The height of the sign is restricted to 80% of the area of the sign band or 18 inches - whichever is less. The length of the lettering is to be contained within 80% of the length of the sign band. The sign band of a building consists of the area located above the ground floor storefront opening and below the second floor line, and is located a minimum of 8'-0" and a maximum of 15'-0" above grade. Surface-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.
- 6.1.2 **Pin-Mounted Commercial Signs.** These signs consist of channel, H-channel, reverse channel, cast metal and flat cut metal letters mounted above the storefront in the masonry sign band or suspended in front of the storefront at the transom or recessed entry. The size of the lettering is restricted so that the height of the letters does not exceed 80% of the height of the sign band or 18 inches - whichever is less. The length of the lettering is to be contained within 80% of the length of the sign band. Pin-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.
- 6.1.3 **Interior Signs.** Interior signs, floating independently, are set behind the glass either at the transom or at the sill of the storefront and are lit from a separate source. This sign must adhere to the size limitations of decal signs as referenced below.
- 6.1.4 **Decal signs.** Decal signs are defined as painted or vinyl transfer letters and numbers. Decal signs can be mounted within the transom and at the lower section of the storefront window area so as not to interfere with interior or exterior activity at the location (see Sec. 1476.5.7.2). The decal sign area at the lower section of the window can occupy up to 10% of the glass area of a single pane. Decals mounted at the transom are restricted to 50% of the area of the transom. Decals located at the lower section of the main display area are to be limited to 6" in height unless they contain store operation hours, which are restricted to 2".

6.2 AWNING AND BANNER RESTRICTIONS

The regulations as set forth under Section 1467.5.8 above should be adhered to in locating awnings or banners on Cermak Road.

- 6.2.1 Vinyl, bubble awnings, and internally illuminated awnings, which function as oversized signs, are prohibited on Cermak Road. Existing bubble awnings shall be removed by June 1, 2009.



Bubble Awning as described in 1476.6.2.1

1476.7.0 SIGNS PERMITTED IN ALL OTHER NON-RESIDENTIAL ZONING DISTRICTS

No person shall erect or maintain measured signs as defined in Section 1476.4.2.1 on any lot in excess of the limitations established herein on the size, type, location, number and total area of signs for the zoning district in which the lot is located and for the various classes of uses established in each district. Accessory signs are permitted in addition to the limitations placed on measured signs in accordance with the provisions of Section 1476.8.0. Temporary signs are permitted in addition to the limitations placed on measured signs and for a specific period of time in accordance with the provision of Section 1476.9.0.

Measurements of total sign area or of individual sign area shall be based on the lineal feet of street frontage of a lot, or in the case of uses that occupy more than one lot, the combined street frontage of all lots participating in the use.

Where a lot is occupied by more than one use, which fronts a street, the measured signage permitted for each use shall be based on the building frontage occupied by such use.

In the case of corner lots or lots having more than one street frontage, the regulations established below shall apply separately to each street frontage so that the total sign

area, individual sign area, and setbacks shall be interpreted as such for each street upon which the lot fronts.

In the case of a lot, lease hold or other business premises however defined which has no actual street frontage, the allowable total sign area shall be based on the width of the property measured along a line generally parallel to the street from which the site obtains access.

7.1 TOTAL SIGN AREA

The total area of all measured signs permitted on a lot shall not exceed the number of square feet permitted for each lineal foot of frontage pursuant to Section 1476.4.1.

7.2 NUMBER OF SIGNS

The maximum number of measured signs of all types located on a lot shall be restricted to one wall sign per use for each street frontage and one ground sign. One additional ground sign is permitted for every 500 feet of street frontage.

7.3 SIGN SETBACKS

7.3.1 All measured signs shall be set back from the property line as follows:

7.3.1.1 In all residential districts, all ground signs shall be set back at least a distance of five feet from the property line. In all business districts and industrial districts in which there are required front yards and required yards adjoining streets, all signs shall be set back at least five feet from the property line. In districts in which there is no required front yard or yard adjoining a street, ground signs may be located at the property line provided that no part of the sign shall overhang the public right-of-way.

7.3.1.2 In addition to these regulations, the requirements of Section 1476.5.0 for the location of signs shall also be met.

7.4 HEIGHT OF SIGNS

Measured ground signs shall not exceed the height limitations shown in Section 1476.5.5.4.

7.5 MEASURED SIGNS IN RESIDENTIAL DISTRICTS

Measured signs are prohibited in residential districts except for the following: legal-nonconforming signs to the extent of the legal nonconformity; on-premise identification signs for educational institutions, parks and playgrounds, and religious institutions; development signs and multi-family building on-premise identification signs. Such measured signs that are permissible in residential zones under the terms of this section shall conform to all other requirements for measured signs.

1476.8.0 REGULATIONS FOR ACCESSORY SIGNS

8.1 GENERAL REGULATIONS

Accessory signs as defined in Section 1476.4.2.2 shall be erected and maintained only in conformance with the following regulations:

- 8.1.1 Permits and Fees. Permits are required and fees are charged for the erection and maintenance of accessory signs that such signs shall conform to the regulations herein except that any electrical accessory sign shall conform to the Berwyn Electrical Code.
- 8.1.2 Size of Accessory Signs. Any accessory sign shall not exceed four square feet of measured sign area.
- 8.1.3 Height. Accessory signs shall not exceed a height of four feet.
- 8.1.4 Prohibited Advertising. Accessory signs shall carry no advertising messages for either products, product lines, services or firms except that the sign face may include a logotype or other symbols the area of which does not exceed one-fourth the measured sign area or the name of the owner in letters no higher than one-third of the height of the letters used in the message.
- 8.1.5 Accessory signs shall conform to the requirements established for a clear view of intersections as provided in Section 1476.5.5.5.3.

8.2 REGULATIONS FOR PARTICULAR ACCESSORY SIGNS

- 8.2.1 Name Plates. Signs displaying the name of the occupant, the business or profession, and the street name and number may be displayed near the entrance to the building, provided such sign does not exceed a measured area of two square feet.
- 8.2.2 Window Signs. Signs painted on windows and indicating the name of the occupant and the business or profession conducted therein are permitted accessory signs provided such signs are limited to one per street frontage and that each sign does not exceed two and one-half square feet of measured sign area.
- 8.2.3 Warning Signs. Signs posting private property against trespassing, hunting or similar prohibitions provided such signs do not exceed two square feet of measured sign area and are not closer than 100 feet to each other.
- 8.2.4 Directional Signs. Notwithstanding the provisions of 1476.8.1.5 above, a directional sign, which in all other respects conforms, to the requirements for an accessory sign may bear a message consisting of the name of the place of business or logo and an arrow indicating the direction or route to be taken.

9.0 REGULATIONS FOR TEMPORARY SIGNS

Temporary signs may be erected and maintained only in accordance with the following regulations.

9.1 GENERAL REGULATIONS

- 9.1.1 Permits. Temporary signs as provided in Section 1476.9.2, below, shall only be erected pursuant to the issuance of a temporary sign permit. Any electrical temporary sign shall be subject to the Berwyn Electrical Code.
- 9.1.2 Fees. Temporary signs for which permits are required shall only be erected and maintained after the payment of a fee as provided in Section 1476.4.6 herein including any electrical fee except that no fee shall be required for any construction sign for a project for which a building permit has been issued.
- 9.1.3 Size of Signs. The measured sign area of temporary signs, the number of such signs, or the aggregate area of such signs shall not exceed the area or size limitation imposed in Section 1476.9.2 below.
- 9.1.4 Location of Signs. Unless otherwise specified in Section 1476.9.2 below, no temporary sign shall be located in the public right-of-way or in any required yard within ten feet of the public right-of-way.
- 9.1.5 Time of Display. The erection and maintenance of all temporary signs shall be limited to the time period specified in Section 1476.9.2, below, or to the time period specified in the permit, whichever is less.
- 9.1.6 Identification required. The name and address of the owner or person displaying any temporary sign shall appear on either the face or back of the sign except for temporary identification signs in which the name of the owner is part of the message. All temporary signs for which a specific date for their erection and removal has been established by permit, or otherwise, shall display those dates thereon in the following example: 7-21-08 to 7-28-08.
- 9.1.7 Removal of Temporary Signs. All temporary signs shall be removed by the owner as follows:
 - 9.1.7.1 Upon the expiration of the permit.
 - 9.1.7.2 Upon the expiration of the time period established in Section 1476.9.2.
 - 9.1.7.3 When any such sign becomes damaged, deteriorated or illegible.
 - 9.1.7.4 Further, any temporary sign that does not contain the identification required above, is displayed before or after the time period established by permit, or otherwise does not display the time period as provided above may be immediately removed by an inspector of the Building Department or any other person.

9.2 REGULATIONS FOR PARTICULAR TEMPORARY SIGNS

The following regulations are established for particular temporary signs.

- 9.2.1 Construction Signs. One sign identifying a construction project, the owner, architect, general contractor, sub-contractors, financiers and other information relating to a construction project may be erected at the construction site in accordance with the following:
 - 9.2.1.1 Size. Not to exceed 64 square feet.
 - 9.2.1.2 Locations. Within the property lines subject to the requirements for safety and clear view of intersections.
 - 9.2.1.3 Height. Not to exceed 14 feet.
 - 9.2.1.4 Display Period. From two weeks before ground breaking until occupancy.

- 9.2.2 Point of Sale Signs. The use of temporary, intermittent, freestanding signs to advertise products or sale items, prices or for similar purposes shall only be used in accordance with the following:
- 9.2.2.1 Size. No individual sign shall exceed four square feet and no display of a point of sale sign shall include more than one such sign per frontage.
 - 9.2.2.2 Location. No point of sale sign shall be located on the public right-of-way.
 - 9.2.2.3 Height. No point of sale sign shall exceed a height of five feet.
 - 9.2.2.4 Period of Display. A point of sale sign shall not be erected more often than three times in any calendar year and the length of each such display shall not exceed 30 days.
- 9.2.3 Temporary Event Signs. A-Frame-type signs shall be allowed in accordance with all other provisions of this code, for a maximum time period of 15 days preceding the event advertised. The sign must be removed following the event, and the maximum permissible period of display shall be indicated on the sign permit. Such signs shall be installed with down guy-type anchors installed into the ground a minimum of 42" below grade. The sign shall be secured to the down guy-type anchors with chain, cable assemblies to secure the sign on all four corners. The anchors shall be removed at the same time as the sign is removed.
- 9.2.4 Temporary sign face. Sign faces which identify a location during the interim period while the permanent sign face is being manufactured, and which are typically made of plastic or canvas materials shall be allowed for a period of 30 days or until the permanent sign face is ready, whichever is less.

1476.10.0 ADMINISTRATION AND ENFORCEMENT

10.1 BUILDING DIRECTOR

This Ordinance shall be administered and enforced by the Building Director who shall have the following duties:

- 10.1.1 Receive all applications for sign permits.
- 10.1.2 Perform the review and inspections required by this Ordinance.
- 10.1.3 Enforce, as appropriate, the other laws and ordinances of the City as the same apply to the erection and maintenance of signs.
- 10.1.4 Issue all permits in conformance with this Ordinance.
- 10.1.5 Issue all citations or notices of violations required by this Ordinance.
- 10.1.6 Maintain accurate records of all permits, inspections, citations, violations and fees and make such records available for public inspection during normal business hours.

10.2 BUILDING DIRECTOR

In the administration and enforcement of this Ordinance, the Building Director shall have the following powers and duties:

- 10.2.1 Make all determinations required of the City Council as provided by this Ordinance.
- 10.2.2 Review and resolve any conflicts in standards, regulations, requirements or procedures arising from the application of this Ordinance and other laws or ordinances of the City regulating the erection and maintenance of signs or the licensing of sign contractors.
- 10.2.3 Make all determinations, requirements, conditions or agreements necessary to affect the removal of nonconforming signs and signs subject to the amortization provisions of this Ordinance.
- 10.2.4 Interpret the various provisions of this Ordinance as requested by either the Building Official, the applicant for or holder of a sign permit or the public.
- 10.2.5 Review all requests for variations from the regulations established by this Ordinance and issue an order in accordance with the standards established below.
- 10.2.6 Make rules governing the administration and enforcement of this Ordinance in accordance with the provisions of the Berwyn Code Enforcement Ordinance.

10.3 VARIATIONS

Variations in the requirements of the various provisions of this Ordinance may be granted in accordance with the following regulations:

- 10.3.1.1 Application. A variation shall be made in writing to the Building Official who shall forward the same to the Zoning Board of Appeals.
- 10.3.1.2 Standards. The following standards shall govern the granting of a variation by the Zoning Board of Appeals:
 - 10.3.2.1 The variation shall be based on practical difficulties arising from the strict application of the provisions of this Ordinance and not merely upon the desire of the applicant to establish an alternative signage.
 - 10.3.2.2 The variation shall be based on hardship imposed by the Ordinance and not upon any self-imposed hardship by the applicant.
 - 10.3.2.3 The variation granted shall be the least amount of variation, which will overcome the practical difficulty or hardship.
 - 10.3.2.4 The variation shall be granted in conformance with the furtherance of the stated purpose and intent of this Ordinance.
 - 10.3.2.5 The variation granted shall not be expressly prohibited as provided below.
- 10.3.2.6 Authorized Variations. The following variations or types of variations may be granted by the Zoning Board of Appeals:
 - 10.3.2.7 Variations to the amortization requirements as provided in Section 1476.4.9.

- 10.3.2.8 Variations in the location of signs for businesses, which do not have direct street frontage.
- 10.3.2.9 Variations in the size and height of individual signs.
- 10.3.2.10 Any other variation which is not a prohibited variation.
- 10.3.2.11 Prohibited Variations. The following variations or types of variations may not be granted by the Zoning Board of Appeals:
- 10.3.2.12 Any variation that would result in an increase in the total amount of signage permitted on a lot.
- 10.3.2.13 Any variation that would lengthen the time that an illegal sign, a prohibited sign or a nonconforming sign would be permitted to be maintained in any district.

1476.11.0 VIOLATIONS AND PENALTIES

Any person who violates any provision of the Berwyn Sign Ordinance shall be fined not less than \$100.00 or more than \$750.00 and each day upon which a violation occurs shall constitute a separate offense.

1476.12.0 SEVERABILITY

If any section, subsection, paragraph, section, clause or phrase of this Ordinance should be declared invalid by a court of competent jurisdiction for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect. And to this end, the provisions of this ordinance are hereby declared to be severable.

1476.13.0 REPEAL

All ordinances or parts of ordinances in conflict with the terms of this Ordinance are, to the extent of such conflict, hereby repealed.

1476.14.0 EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval and publications in pamphlet form as provided by law.



March 20, 2008

Michele D. Skryd
ALDERMAN FOURTH WARD
BERWYN, ILLINOIS

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

RE: Correction of minutes. vote change

Ladies and Gentlemen:

I am officially requesting to amend the meeting minutes of the City Council meeting which was held on February 26, 2008. I am unable to bring forward my amendment and change of vote due to the extraordinary number of items that were being moved forward on the agenda of the March 11, 2008 meeting. We had school children, Chief Kalivoda's retirement and many others. At this time I am asking to amend the minutes and change my vote on item # 8 from the February 26, 2008 minutes to reflex a vote of nay.

Respectfully,

Michele D. Skryd
4th Ward Alderman



Michele D. Skryd
ALDERMAN FOURTH WARD
BERWYN, ILLINOIS

I-3

March 20, 2008

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

RE: ARTSPACE

Ladies and Gentlemen:

Attached is information on an exciting opportunity for the City of Berwyn. Please review the information and visit their website www.artspaceusa.org.

The National Endowment for the Arts is currently offering a \$2500.00 grant to offset the cost of the fees to communities. These grants are awarded on a first come first served basis. I believe that with the formation of the BAC (Berwyn Arts Council) and our newly opened 16th Street Theater this type of project would be suitable to our future.

It would be my recommendation to refer this contract and proposal to the Committee of the Whole.

Respectfully,

Michele D. Skryd

Michele D. Skryd
4th Ward Alderman



The Artspace Mission

The mission of Artspace Projects is to create, foster and preserve affordable space for artists and arts organizations. We pursue this mission through development projects, asset management activities, consulting services, and community-building activities that serve artists and arts organizations of all disciplines, cultures, and economic circumstances. By creating this space, Artspace supports the continued professional growth of artists and enhances the cultural and economic vitality of the surrounding community.

The Artspace Story

Finding and retaining affordable live/work space is an age-old problem for artists, painters, sculptors, dancers, and others who require an abundance of well-lit space in which to work. Many artists gravitate to old warehouses and other industrial buildings, but their very presence in an industrial neighborhood often acts as a catalyst, setting in motion a process of gentrification that drives rents up and forces the artists out.

This is precisely what happened in Minneapolis' historic Warehouse District in the 1970s and led to the creation of Artspace in 1979. Established to serve as an advocate for artists' space needs, Artspace effectively fulfilled that mission for nearly a decade. By the mid-1980s, however, it was clear that the problem required a more proactive approach, and Artspace made the leap from advocate to developer. Since then, the scope of Artspace's activities has grown dramatically. Artspace is now America's leading nonprofit real estate developer for the arts.

In the last few years, Artspace has further expanded its mission to incorporate the planning and development of performing arts centers, museums, other arts facilities, and entire arts districts throughout the country.

Why We Do What We Do

Artspace's experience in facilitating space development for artists has led us to the following conclusions:

- Aesthetically pleasing spaces create a safe working environment that helps artists grow professionally and achieve financial stability.
- Artists' live/work projects help increase pedestrian traffic in urban areas, while streetscapes take on a new, lively character.
- Other neighborhood development typically follows within three years of the completion of an artists' live/work project. This development in turn helps generate other cultural activity and creates a general increase in visitors to the area.

Artspace developments benefit their communities in several significant ways. They create



affordable spaces for artists to live, work, exhibit, perform, and conduct business. A lively arts community is one hallmark of a healthy city, and it is clear from the volume of inquiries Artspace receives - about 30 calls a week, on average - that cities all around the country are awakening to this fact.

Artspace projects serve as catalysts for neighborhood revitalization. Invariably, the community that evolves within an artist live/work project soon spreads into the surrounding area, breathing new life, energy, and stability into the entire community. Moreover, every Artspace project to date has transformed an unused or underutilized historic building into a fully functioning facility. While historic preservation is not our primary mission, we regard it as a highly beneficial byproduct of what we do - one that allows communities to preserve their architectural heritage rather than to bulldoze it in the name of progress.

Sustainability in Practice at Artspace

At Artspace, we have come to realize that green building and sustainable development are at the very core of our mission to create, foster and preserve affordable space for artists and arts organization. Green building is a whole-building and systems approach to design and construction. It employs building techniques that minimize environmental impacts and reduce the energy consumption of buildings while contributing to the health and productivity of its occupants. [A copy of our sustainable protocol can be downloaded here.](#)

[The U.S. Green Building Council Certificate of Membership](#)



February 26, 2008

Ms. Michelle Skryd
Alderman
City of Berwyn
6700 26th Street
Berwyn, IL

Dear Ms. Skryd,

As per your request, we are pleased to submit the following draft Letter of Agreement for consulting work to be performed by Artspace Projects over the course of a 2-day visit. The document loosely describes Artspace Projects' scope of work and outlines a fee schedule for a Prefeasibility Visit to Berwyn, IL.

As discussed, our services are designed to result in a preliminary feasibility evaluation of an affordable mixed-use, artist live/work project as envisioned by the city and community of Berwyn and to make a recommendation of next steps. We would hope that our findings help you on the next phase of realizing your project. To this end we would work with you and local project leadership to refine the agenda for the 2-day visit based on the sample agenda provided. The deliverable for this scope of work includes a wrap-up meeting to discuss our initial impressions and address any additional questions, in addition to a written executive summary of our findings and recommended next steps.

As discussed, the National Endowment for the Arts has partnered with Artspace through the award of a generous grant that will offset the cost of our fee for communities we visit in 2008. Our funding will be limited for the year however, and is offered on a first come first serve basis. At this time we are able to offer the 2-day visit at a cost of \$7,500 to the city of Berwyn, the additional \$2,500 will be covered by the NEA grant. This is reflected in the draft contract.

We thank you for the opportunity to be involved with your innovative endeavor. Please contact me with any questions or comments you may have about this draft contract or the visit itself.

Sincerely,

Teri Deaver
Director, Consulting & New Projects
Artspace Projects, Inc.

Letter of Agreement

Prefeasibility Visit

Artspace Projects, Inc.

And

The City of Berwyn, IL

At the request Alderman Michelle Skryd, and the city of Berwyn ("City") Artspace Projects, Inc. ("Artspace") prepared this letter of agreement for its Prefeasibility Visit (the "Visit") to Berwyn, IL

Artspace is a national, nonprofit organization dedicated to creating space for the arts. The purpose of the Visit is to help the City understand the potential to create a successful, self-sustaining artist live/work project (Project) in Berwyn and to understand the key elements that determine prefeasibility (site selection, project concept, market need, funding and sustainability, local leadership) as they relate to the Project; to inform the Project vision; to educate and involve key stakeholders in order to build support for the Project; and to understand the next steps necessary to move the Project forward.

The purpose of this agreement between Artspace and the City is to describe the scope of work, establish the terms of the agreement, and identify a fee structure.

The term of this agreement is through the preparation and completion of a site visit and delivery of the written summary report. The findings of the Visit and recommended next steps will be summarized in a written executive summary report.

Artspace Projects Agrees to:

- Assign Artspace Projects' staff to conduct the 2-day preliminary evaluation.
- Work with Michelle Skryd (or assignee) and the City to set dates and determine and refine the agenda for the 2-days and to identify key participants.
- Examine any available documents for potential site(s), e.g.: area map(s), blue prints, and aerial photographs.
- Review existing market, redevelopment, city planning and/or other appropriate existing studies
- Tour potential project site(s) for new construction or building rehabilitation. This would include an overall general tour of the community, existing arts districts or facilities, and

the area being specifically considered for this development. Walk the top site(s) and building(s) with invited professionals such as: city planning officials, building owners/superintendents, an architect if a member of the stakeholder team (board member, city staff, community advisory position), historic preservation representative (if applicable) and/or other key stakeholders from the core leadership team.

- Meet with key city, county and/or state leadership. This meeting would include a presentation with case studies and an open discussion intended to answer questions, educate about arts development and civic involvement, and understand the vision and/or concerns of elected officials.
- Meet with potential local/state public and private funders and economic development officials, to discuss affordable arts facility development, available funding sources and tools, and gauge support for the project. This leadership group should include: state level affordable housing funding representative, local or state level historic preservation representative (if applicable) city/county redevelopment and housing representatives, leaders in the philanthropic community, private banking, and arts/cultural funding communities.
- Meet with a diverse cross section of artists and representatives of arts organizations. Artist representatives should include emerging and established artists, artists of various disciplines (performance, visual, literary etc), and artists who own homes as well as those who may be renting (if possible). Organization may include local university leadership familiar with the need of their alumni or for their partnership interest.
- Host a community forum to discuss arts development around the country and the community and economic development impact as it may relate to the proposed project.
- Meet with the key stakeholder/core group to discuss the project model/vision, answer questions and discuss initial impressions from the visit.
- Perform other related tasks as relevant and agreed to by the City and Artspace.
- Summarize findings and recommended next step in a written executive summary report.

The City of Berwyn Agrees to:

- Provide any relevant documents for Artspace Projects' review
- Arrange for site/building and area tour(s)
- Identify, contact and invite participants to the building tour, focus groups and public forum. Broad notice should be made about the public meeting to encourage artists, community members, stakeholders and all to attend
- Coordinate logistics for the meetings to include: securing space and any necessary equipment/set-up (seating, power source, table for computer/projector and screen.)
- Pay Artspace Projects a total fee of \$7,500.00 which includes all expenses. A \$3,000.00 deposit is due and payable upon execution of this agreement and the balance of \$4,500.00 is due upon delivery of the draft report. \$1,500 is non-refundable in the event of a cancellation requested by the City. Both parties acknowledge that this fee is less than Artspace's total customary fee. The National Endowment for the Arts (NEA) has provided a grant that will offset \$2,500 of the total customary fee of \$10,000. In recognition of this partnership with the NEA, The City agrees to acknowledge in public

notices, publicity and other applicable materials that the consulting visit by Artspace is made possible in part by the generous support of the National Endowment for the Arts.

- Pay additionally to Artspace any costs incurred by Artspace to re-arrange or cancel travel itineraries as requested by the City or necessitated by changes initiated by same.
- All written or other materials provided by Artspace remain the property of, and may not be reproduced for purposes of sale or other benefit beyond the intended use under this contract, without the prior written approval of Artspace.
- **Upon execution by both parties of this agreement and receipt by Artspace of the deposit, Artspace will make travel arrangements to coincide with visit date agreed to by both parties. Should the deposit not be received by Artspace Projects (30) days prior to an agreed upon date for the visit, this contract shall be cancelled and Artspace Projects will be under no obligation to complete its services.**

Signature page follows.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date shown of the first page of this Agreement.

AGREED TO:

Artspace Projects, Inc.

Wendy Holmes
Vice President

Date

City of Berwyn

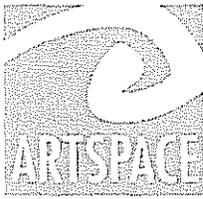
Print Name: _____
Its: _____

Date

Contact Information

Artspace Projects, Inc.
Teri Deaver
Director, Consulting and New Projects
250 Third Ave. North
Suite 500
Minneapolis MN 55401
(612) 465-0222

The City of Berwyn
Michelle Skryd



The Prefeasibility Visit

Goal: to provide preliminary feedback about the feasibility of creating a live/work, multi-use or other arts facility development

There are five areas of consideration:

- i. Project Concept
- ii. Market Need
- iii. Site Suitability
- iv. Potential to Fund and Sustain a Project
- v. Local Leadership

Planning for the Visit

Artspace looks to the client to coordinate locally for a successful visit. This includes arts community outreach, arranging for meeting locations, inviting participants, ensuring strong public and artist attendance at the public meeting, selecting its top 3-5 sites/buildings, arranging site access, and initiating media contact if desired.

Artspace is available for scheduled conference calls or by email/phone as questions arise. We act as a partner and resource to set the visit dates, determine the specific agenda, review participant invitation lists, speak with local media, review client created invitations or press releases, review potential building or site summaries/photos to assist in narrowing down the pool of potential sites.

Sample Agenda for the Two-day Visit

**Not all meetings or participants may be relevant. Unique meetings/events suitable to the community's and/or project's needs may be substituted. The starting and ending times of each day will vary according to travel itineraries and should be coordinated with Artspace staff prior to finalizing the agenda. For instance, the first day meetings may begin in the early afternoon, negating the need for a lunch meeting.*

DAY 1

1. Meet with core group (30 minutes)

Purpose: introductions, share information regarding 2-day event, discuss vision/project concept

2. a. Tour of community and potential sites/buildings (2 hours)

Purpose: understand context for the project; walk sites and buildings

Possible Participants: architect with historic restoration experience and/or preservationist from a local commission or State Historic Preservation Office; real estate professional with local rental and for sale market value information; building supervisor/owner; city planning department representative

b. Tour of arts community (1 hour)

Purpose: to see existing arts communities including artist studios, live/work facilities, galleries, arts organizations. Viewing the "arts scene" and meeting artists in their existing spaces provides greater context for the proposed project.

3. Working lunch (optional; depending on travel itinerary and schedule) (1 hour)

Purpose: to discuss topics such as site selection criteria, site tour impressions, project concept, etc. with core group or key leadership; or to meet with a key individual(s) who may not be available for other meetings

Possible Participants: member(s) of the core group; other significant individual(s)

4. Artists and arts organization focus group (1.5 hours)

Purpose: to understand the space needs of artists and arts organizations including: current space descriptions; space needs; economic considerations; representative arts disciplines; may include short presentation to set context of discussion

Participants: local and regional artists representing a diverse cross-section of artistic disciplines, career phase/notoriety, family status, ethnic background, age; local and regional arts organizations representing a diverse cross-section of services, size, operating budgets, artistic disciplines served; 12-20 total participants

5. Break/Transition (30 minutes)

6. Finance leadership focus group (1 hour)

Purpose: to understand potential funding sources and the support of the finance and business sector for the project; may include short presentation to set context of discussion

Participants: local bank representatives active in local projects; private foundation and corporate funding representatives; some one familiar with local capital campaigns/donor community; staff overseeing local, county and state housing, historic and cultural funds; 6-10 total participants

7. Dinner break for Artspace Staff to prepare for Public Meeting(1-1.5 hour)

8. Public meeting (1.5 hour) - usually scheduled at 7pm

Purpose: an interactive, full (30-45 minute) presentation designed to educate attendees about the work of Artspace, national arts development, successful project models, and the economic impact of the nonprofit arts; build community support for a project while addressing questions/concerns; gather information about the community need and interest in a project

Participants: all artists, arts organizations, community leaders, local, regional and state civic leaders; local proprietors, real estate developers, neighborhood residents, and the media.

*It is recommended that the community advertise the public meeting broadly by press release, email blasts, and postings. Artspace is available as a resource in the planning.

DAY 2

1. Civic leadership focus group (45-60 minutes)

Purpose: to answer questions, build support, understand concerns, learn about their priorities and vision for the future; may include short presentation to set context of discussion

Participants: elected officials (local, regional and statewide)

2. Break/Transition (15-20 minutes)

3. Focus group with other individual(s) or groups unique to the community (1hr)

*(*This is an optional meeting and dependent on available time)*

Purpose: to meet with individual(s) or groups who's input is relevant to the assessment of the project's feasibility based on a community's unique situation, and who are not available or appropriate for other meetings; this may include for example: local developers who may be interested in developing the project, an organization that may own or be a significant partner/user of the facility (who is not part of core group or arts focus group, eg: a local university), local board of directors, a consultant actively engaged in arts district or master-planning, etc.

4. Break for Artspace Staff to prepare for core group meeting (45 minutes)

5. Core group meeting (1 hour)

*(*This may be a lunch meeting depending on the final agenda. It may also be handled in a follow-up teleconference call, should travel itineraries insist on an early departure)*

Purpose: to share initial impressions relating to the meetings and each of the five evaluated areas and answer any outstanding questions.

Written Executive Summary

An executive summary of our findings and recommended next steps will be delivered within six weeks following the visit.



I-4

Michele D. Skryd
ALDERMAN FOURTH WARD
BERWYN, ILLINOIS

January 4, 2008

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

RE: Customer Parking Only Sign 2801 Ridgeland

Ladies and Gentlemen:

It has come to my attention that the owners of the hair salon at 2801 Ridgeland are in need of one parking spot designated for customers only. They are a hair salon that specializes in wigs and hair pieces for cancer patients.

It would be my recommendation to install the customer parking only sign at the first stall in the diagonal parking on the north side of their building. The sign should read Customer Parking Only 9a – 8p.

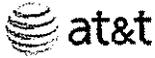
Respectfully,

Michele D. Skryd
4th Ward Alderman

AT&T Yahoo! Mail

Search:

Web Search



Welcome, 4thwardaldskryd@s...
[Sign Out, Member Center]

Mail Home | All-New Mail | Tutorials | Help



Answers Don't Come This Easy.



Mail

Contacts

Calendar

Notepad

Mail Upgrades - Options

Check Mail

Compose

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Delete

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Forward

Spam

Move...

Folders

[Add - Edit]

Inbox

Draft

Sent

Bulk [Empty]

Trash [Empty]

My Folders

[Show]

Search Shortcuts

My Photos

My Attachments



See your credit
score - free



Print FREE
Grocery Coupons



Free Card
Games



How to become a
Teacher, Nurse

This message is not flagged [Flag Message - Mark as Unread]

Printable View

Subject: RE: 2801 Ridgeland

Date: Tue, 19 Feb 2008 07:49:43 -0600

From: "Nicole L. Campbell" <NCampbell@ci.berwyn.il.us> View Contact Details Add Mobile Alert

To: "Michele D. Skryd" <4thwardaldskryd@sbcglobal.net>

Michele,

We had talked about this location on the phone a while back. We had discussed some questions that I had but I didn't see a problem with the sign. I had recalled you saying that you would bring it up to Council again, but if I am wrong and you would like me to include it in a meeting let me know. I believe we have the sign here at Public Works, made and ready to install.

Sorry. Let me know how you would like to proceed.
Nicole

From: michele skryd [mailto:4thwardaldskryd@sbcglobal.net]

Sent: Monday, February 18, 2008 9:57 PM

To: Nicole L. Campbell

Subject: 2801 Ridgeland

Hi Nicole,

Have you had a chance to look into the request for a sign at 2801 S. Ridgeland? It was referred to you from city council on Jan 8, 2008. The owner has been calling and I would like to let him know if the city will be honoring his request for a parking space with a sign for customer parking only 9a-8p.

Thanks,

Michele Skryd

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Check Mail

Compose

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Michele D. Skryd
ALDERMAN FOURTH WARD
BERWYN, ILLINOIS

March 20, 2008

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

RE: 4th Ward "Walk and Talk"

Ladies and Gentlemen:

The residents of the 4th Ward are invited to partake in "Walk and Talk in the Ward" this will be a great way to spring into fitness. All 4th Ward residents are invited to meet at the Elks Club on 26th Street and Ridgeland Avenue every Thursday beginning April 3rd at 6:00 pm.

Let's get started It's easy! Walking is one of the easiest and most profitable forms of exercise All you need is a good pair of shoes, comfortable clothing, and desire

If you're new to walking, start off with slow, short sessions and build your way up gradually If you have any health concerns or medical conditions, be sure to check with your doctor for advice before you begin a routine.

BENEFITS OF WALKING

- Burns calories
- Shapes and tones your legs
- Slims your waist
- Reduces risk of heart disease, diabetes, & more
- Reduces stress
- Sleep better
- Improves mood and outlook on life
- Requires no equipment
- Allows time with family and friends
- Strengthens back muscles
- Cuts cholesterol
- Easy on your joints
- Strengthens your bones
- Lowers blood pressure
- Can be done almost anywhere
- AND it's Free

I look forward to walking and talking with you Lets Spring into action, get to know your neighbors and have fun!

Respectfully,

Michele D. Skryd

Michele D. Skryd



Michele D. Skryd
ALDERMAN FOURTH WARD
BERWYN, ILLINOIS

March 20, 2008

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

RE: Removals of referral items form Administration Committee

Ladies and Gentlemen:

The following is a list of referral items on the Administration Committee. Per our Administration Committee meeting on February 4, 2008 we ask these items be removed from the current list.

#34	11/22/05	Erickson	Government Responses to Residents
#26	12/13/05	Erickson	Amending Creating Ordinances
#7	5/23/06	Mayor	ORD-Limit Time & Frequency of Mtgs
#9	7/11/06	Mayor	Computer Use Police (will be in employee handbook)
#14	11/14/06	Mayor	Director of Neighborhood Affairs
#19	11/14/06	Erickson	New City Website
#21	11/14/06	Adm Comm.	Par Group
#16	03/27/07	Lovero	Rescind PW Hires

Respectfully,

Michele D. Skryd

Michele D. Skryd
4th Ward Alderman



Michele D. Skryd
ALDERMAN FOURTH WARD
BERWYN, ILLINOIS

March 20, 2008

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

RE: 90 Minute Parking 2500 Block of Harvey from East/West Alley to 26th Street

Ladies and Gentlemen:

It has come to my attention that the attached communication dated April 24, 2007 has not been acted on. I find it difficult to accept that it takes almost a year to have signs that have been approved by the City Council still not in place.

It would be my recommendation to resend this request to Public Works for immediate installation.

Respectfully,

Michele D. Skryd

Michele D. Skryd
Alderman
4th Ward



THE CITY OF BERWYN, ILLINOIS

Building A New Berwyn

MICHAEL A. O'CONNOR, Mayor

6700 West 26th Street • Berwyn, Illinois 60402-0701

Telephone: (708) 788-2660 • Fax: (708) 788-2675 • www.berwyn-il.gov

ITEM NO. 24

DATE APR 24 2007

DISPOSITION Consent

April 19, 2007

Hon. Michael A. O'Connor, Mayor
Alderman of the Berwyn City Council
6700 W. 26th Street
Berwyn, IL 60402

RE: 90 Minute Parking 2500 Block of Harvey from East/West Alley south to 26th Street

Ladies and Gentlemen:

The diagonal street parking on Harvey Avenue on the east and west sides from the east/west alley south to 26th has no posted parking restrictions. There have been four new store fronts rehabbed on 26th Street between Harvey Avenue and Highland Avenue. There is also Great West Electric Supply on the east corner. It would be my recommendation to install signage for 90 minute parking Monday – Saturday from 8:00am – 5:00pm to promote business and provide parking in the 26th street corridor.

Respectfully,

Michele D. Skryd

Michele D. Skryd
4th Ward Alderman



THE CITY OF BERWYN, ILLINOIS

MICHAEL A. O'CONNOR, *Mayor*

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

Honorable Mayor Michael O'Connor
Members of City Council

March 19, 2008

RE: Mayor's Veto of Miller Shakman & Beem Resolution

Ladies and Gentlemen,

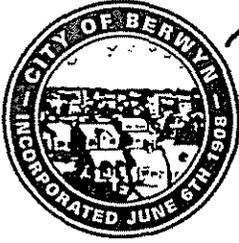
It is my belief that the mayor has an absolute conflict of interest in his attempt to veto the above referenced resolution. Furthermore, for the record the mayor does not have the authority to veto something which is neither an ordinance or a payable.

However, since he insists on vetoing this resolution, it would be my motion to override the mayors veto.

Thank you for your consideration regarding this matter.

Respectfully Submitted,

Michael J. Phelan
6th Ward Alderman



THE CITY OF BERWYN, ILLINOIS

MICHAEL A. O'CONNOR, *Mayor*

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

Honorable Mayor Michael O'Connor
Members of City Council

March 19, 2008

RE: Questions as to Procedure

Ladies and Gentlemen,

I will be posing questions with regard to the legality of the veto process.
Thank you for your consideration regarding this matter.

Respectfully Submitted,

Michael J. Phelan
6th Ward Alderman

Michael A. O'Connor
Mayor



Robert Lovero
Seventh Ward Alderman
(708) 788-1885
7thWard@Berwyn-IL.Gov

A Century of Progress with Pride

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

March 17, 2008

Mayor Michael O'Conner
Members of City Council
6700 West 26th Street
Berwyn, IL 60402-0701

Re: 16th Street Parking

Dear Members:

Please find enclosed an ordinance to correct a typographical error in an ordinance previously adopted on September 25, 2007.

Thank you for your consideration.

Respectfully,

Robert J. Lovero
7th Ward Alderman

RJL:gal

ORDINANCE NO. _____

**ORDINANCE AMENDING THE TRAFFIC CODE OF THE CITY OF BERWYN
REGARDING PARKING RESTRICTIONS ON 16TH STREET**

WHEREAS, the City of Berwyn has adopted a Traffic Code, which has been amended from time to time;

WHEREAS, the City Council has further decided to amend the Code to provide for restricted parking on 16th Street between certain hours;

WHEREAS, the City Council is attempting to provide adequate parking for local businesses;

Now, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, IN EXERCISE OF ITS HOME RULE POWERS:

SECTION ONE.

Section 480.07 of the Traffic Code shall read as follows: (**Additions are bolded and double underlined**, deletions are struck through):

480.07 LIMITED PARKING

(a) Wesley Avenue from 16th Street south to the southern property line of the North Berwyn Park District Community Center shall be designated "15-Minute Parking" from 9:00 a.m. to 9:00 p.m.

(b) Parking on the south side of Windsor Avenue, from the east corner of Home Avenue to the west corner of Oak Park Avenue shall be designated two (2) hour parking. This restriction shall apply only from the hours of 7:00a.m. to 5:00p.m., Monday through, and including, Friday.

(c) Two parking spots on the ~~north~~ **south** side of 16th Street and directly west of Wisconsin Avenue shall be designated as "30 Minute Parking" from the hours of 12:00 p.m. to 5:00p.m. on Thursday, Friday and Saturday of each week.

SECTION TWO.

All ordinances or parts in conflict with the provisions hereof are hereby repealed insofar as they conflict herewith. The repeal of any such ordinances or parts of ordinances shall, however, not abate, or in any other manner be

considered by a court to affect any prosecution previously commenced or presently pending under the Codified Ordinances of Berwyn, Illinois, 1984, as previously amended.

SECTION THREE.

- a. It is hereby declared to be the intention of the Mayor and City Council of the City of Berwyn that the several provisions of this ordinance are separable.
- b. If any court of competent jurisdiction should adjudge any provisions or part thereof of this ordinance to be invalid, such judgment shall not affect any other provision or part thereof of this ordinance including other parts of the provision declared invalid with are not specifically declared to be invalid in such judgment.

SECTION FOUR.

This ordinance shall become and be effective upon its passage, approval and publication in pamphlet in the manner prescribed by law.

PASSED this _____ day of _____, 2008.

THOMAS J. PAVLIK, CITY CLERK

VOTING AYE:

—

VOTING NAY:

—

EXCUSED:

—

ABSTAIN:

—

DEPOSITED in my office this _____ day of _____, 2008.

THOMAS J. PAVLIK, CITY CLERK

Approved this _____ day of _____, 2008.

MICHAEL A. O'CONNOR, MAYOR
CITY OF BERWYN

11

Berwyn City Council

March 19, 2008

From 8th Ward Alderman Joel Erickson
To Mayor O'Connor and
The Berwyn City Council

Regarding: Animal Ordinance Update

Ladies and Gentlemen:

I would like to advise the City Council of certain additions to the proposed Animal Management Ordinance.

Respectfully,

Joel Erickson

8th Ward Alderman

I 12

Berwyn City Council

March 19, 2008

From 8th Ward Alderman Joel Erickson
To Mayor O'Connor and
The Berwyn City Council

Regarding: Cermak Development

Ladies and Gentlemen:

I would like to share some thoughts with the City Council regarding the quality of Cermak Road development.

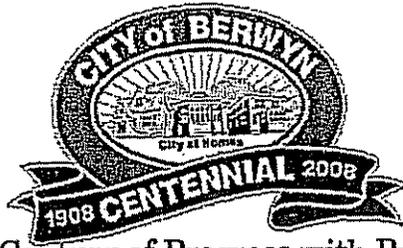
Respectfully,

Joel Erickson
8th Ward Alderman

Section J

Staff Reports

The City of Berwyn



Michael A. O'Connor
Mayor

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

March 18, 2008

Honorable Michael A. O'Connor
And Members of the Berwyn City Council

Re: Removal of items from the Law Department Referral List

Dear Ladies and Gentlemen:

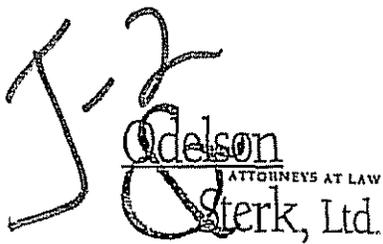
Your approval is requested to remove the following items from the Law Department Referral List.:

<u>ITEM</u>	<u>DATE</u>	<u>REFERENCE TO:</u>
#20	6/25/02	Plumbing Ordinance
#25	4/12/05	Amend Plumbing Code to Allow PVC
#9	5/10/05	Sharpe Residence-Request Waive Liens
#15	7/12/05	Create DUI Adjudication
#21	3/4/06	Handicap Parking
#39	8/8/06	Emergency Telephone Systems Board
#28	9/12/06	Ordinance-Providing Neighborhood Police Presence
#21	6/14/05	Variance for D'Antonio-1310 S. Grove Avenue
#23	9/26/06	Depot District Business Parking on Kenilworth

Sincerely,

Anthony T. Bertuca
Associate City Attorney

ATB/lps



3318 WEST 95TH STREET
EVERGREEN PARK, IL 60805
(708) 424-5678
FAX (708) 425-1898
www.odelsonsterk.com

March 19, 2008

Thomas J. Pavlik
City Clerk
City of Berwyn
6400 W. 26th St.
Berwyn, IL 60402

Re: SETTLEMENT OF CASE #03271956

Dear Mr. Pavlik:

Please put an item on the March 25, 2008 agenda authorizing the settlement of the above referenced matter for the total sum of \$6,000.00 based upon prior City Council authority in executive session.

Very truly yours,

Richard F. Bruen, Jr.

RFB/df

53



3318 WEST 95TH STREET
EVERGREEN PARK, IL. 60805
(708) 424-5678
FAX (708) 425-1898
www.odelsonsterk.com

March 20, 2008

Thomas J. Pavlik
City Clerk
City of Berwyn
6400 W. 26th St.
Berwyn, IL 60402

Re: Draft Smoking Ordinance

Dear Mr. Pavlik:

Enclosed for Council's consideration at the March 25, 2008 meeting is a draft Smoking Ordinance, which will allow the City to enforce the Smoke Free Illinois Act. As we have previously indicated, we do not believe that the City is estopped from enforcing the State-wide smoking ban simply because ICAR has not yet promulgated regulations.

Section 40 of the Act gives local law enforcement agencies the power to enforce the Act and assess fines pursuant to the Act. The due process rights of violators will be addressed through the administrative review process. We have drafted similar ordinances for several of our clients.

If you have any questions do not hesitate to contact me.

Very truly yours,

Richard F. Bruen, Jr.

RFB/dw

Enclosure

THE CITY OF BERWYN
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER

**AN ORDINANCE AMENDING PART 6 OF THE CODIFIED ORDINANCES
OF THE CITY OF BERWYN , COOK COUNTY, ILLINOIS ESTABLISHING
CHAPTER 680 "SMOKING RESTRICTIONS"**

MICHAEL A. O'CONNOR, Mayor
THOMAS J. PAVLIK, City Clerk

NONA N. CHAPMAN
SANTIAGO "JIM" RAMOS
MARK WEINER
MICHELE D. SKRYD
THOMAS J. DAY
MICHAEL J. PHELAN
ROBERT J. LOVERO
JOEL ERICKSON
Aldermen

ORDINANCE NO.: _____

**AN ORDINANCE AMENDING PART 6 OF THE CODIFIED ORDINANCES
OF THE CITY OF BERWYN , COOK COUNTY, ILLINOIS
ESTABLISHING CHAPTER 680 "SMOKING RESTRICTIONS"**

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, the Smoke Free Illinois Act 410 ILCS 82/1 et seq. (the "*Act*") which became effective on January 1, 2008, which Act sets forth smoking prohibitions applicable throughout the State; and

WHEREAS, the Mayor and the City Council (the "*Corporate Authorities*") of the City of Berwyn adopts the following findings of the Illinois General Assembly as contained in 410 ILCS 82/5, that tobacco smoke is a harmful and dangerous carcinogen to human beings and a hazard to public health. Secondhand tobacco smoke causes at least 65,000 deaths each year from heart disease and lung cancer according to the National Cancer Institute. Secondhand tobacco smoke causes heart disease, stroke, cancer, sudden infant death syndrome, low-birth-weight in infants, asthma and exacerbation of asthma, bronchitis and pneumonia in children and adults. Secondhand tobacco smoke is the third leading cause of preventable death in the United States. Illinois workers exposed to secondhand tobacco smoke are at increased risk of premature death. An estimated 2,900 Illinois citizens die each year from exposure to secondhand tobacco smoke.

WHEREAS, the corporate authorities adopts the following findings of the Illinois General Assembly as contained in 410 ILCS 82/5, that the United States Surgeon General's 2006 report has determined that there is no risk-free level of exposure to secondhand smoke; the scientific evidence that secondhand smoke causes serious diseases, including lung cancer, heart disease, and respiratory illnesses such as bronchitis and asthma, is massive and conclusive; separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate secondhand smoke exposure; smoke-free workplace policies are effective in reducing secondhand smoke exposure; and smoke-free workplace policies do not have an adverse economic impact on the hospitality industry

WHEREAS, the corporate authorities adopts the following findings of the Illinois General Assembly as contained in 410 ILCS 82/5, that the Environmental Protection Agency has determined that secondhand smoke cannot be reduced to safe levels in businesses by high rates of ventilation. Air cleaners, which are capable only of filtering the particulate matter and odors in smoke, do not eliminate the known toxins in secondhand smoke. The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) bases its ventilation standards on totally smoke-free environments because it cannot determine a safe level of exposure to secondhand smoke, which contains cancer-causing chemicals, and ASHRAE acknowledges that technology does not exist that can remove chemicals that cause cancer from the air. A June 30, 2005 ASHRAE position document on secondhand smoke concludes that, at present, the only means of eliminating health risks associated with indoor exposure is to eliminate all smoking activity indoors.

WHEREAS, the corporate authorities find that the well-documented health and environmental hazards and injuries caused by smoking and the effects of secondhand smoke are present in both enclosed and unenclosed areas; and

WHEREAS, the corporate authorities determine that it is in the best interests of the residents of the City to amend the Codified Ordinances of the City of Berwyn to be consistent with the Act by formally adopting the Act.

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, as follows:

SECTION 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2: Part 6 "General Offenses Code" of the Codified Ordinances of the City of Berwyn is hereby amended striking Chapter 680 in its entirety and adding the following new Chapter to read, as follows:

CHAPTER 680 SMOKING RESTRICTIONS

Sec. 680.01 Definitions.

Bar: Means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and that derives no more than 10% of its gross revenue from the sale of food consumed on the premises. "Bar" includes, but is not limited to, taverns, nightclubs, cocktail lounges, adult entertainment facilities, and cabarets.

Department: Means the Department of Public Health.

Employee: Means a person who is employed by an employer in consideration for

direct or indirect monetary wages or profits, or a person who volunteers his or her services for a non-profit entity.

Employer: Means a person, business, partnership, association, or corporation, including a municipal corporation, trust, or non-profit entity, that employs the services of one or more individual persons.

Enclosed Area: Means all space between a floor and a ceiling that is enclosed or partially enclosed with (i) solid walls or windows, exclusive of doorways, or (ii) solid walls with partitions and no windows, exclusive of doorways, that extend from the floor to the ceiling, including, without limitation, lobbies and corridors.

Enclosed or Partially Enclosed Sports Arena: Means any sports pavilion, stadium, gymnasium, health spa, boxing arena, swimming pool, roller rink, ice rink, bowling alley, or other similar place where members of the general public assemble to engage in physical exercise or participate in athletic competitions or recreational activities or to witness sports, cultural, recreational, or other events.

Gaming Equipment or Supplies: Means gaming equipment/supplies as defined in the Illinois Gaming Board Rules of the Illinois Administrative Code.

Gaming Facility: Means an establishment utilized primarily for the purposes of gaming and where gaming equipment or supplies are operated for the purposes of accruing business revenue.

Healthcare Facility: Means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including, but not limited to, hospitals, rehabilitation hospitals, weight control

clinics, nursing homes, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. "Healthcare Facility" includes all waiting rooms, hallways, private rooms, semi-private rooms, and wards within healthcare facilities.

Place of Employment: Means any area under the control of a public or private employer that employees are required to enter, leave, or pass through during the course of employment, including, but not limited to entrances and exits to places of employment, including a minimum distance, as set forth in Section 10 of this Chapter, of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited; offices and work areas; restrooms; conference and classrooms; break rooms and cafeterias; and other common areas. A private residence or home-based business, unless used to provide licensed child care, foster care, adult care, or other similar social service care on the premises, is not a "place of employment".

Private Club: Means a not-for-profit association that 1) has been in active and continuous existence for at least 3 years prior to the effective date of P.A. 95-17 (410 ILCS 82/1 et seq.), whether incorporated or not, 2) is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, 3) is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purposes, but not for pecuniary gain, and 4) only sells alcoholic beverages incidental to its operation. For purposes of this definition, "private club" means an organization that is managed by a board of directors, executive committee, or similar body chosen by the members at an annual meeting, has established bylaws, a constitution or both to govern its activities, and has been

granted an exemption from the payment of federal income tax as a club under 26 U.S.C. 501.

Private Residence: Means the part of a structure used as a dwelling, including, without limitation: a private home, townhouse, condominium, apartment, mobile home, vacation home, cabin, or cottage. For the purposes of this definition, a hotel, motel, inn, resort, lodge, bed and breakfast or other similar public accommodation, hospital, nursing home, or assisted living facility shall not be considered a private residence.

Public Place: Means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the State of Illinois, or any other public entity and regardless of whether a fee is charged for admission, including a minimum distance, as set forth in Section 10 of this Chapter, of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A "public place" does not include a private residence unless the private residence is used to provide licensed child care, foster care or other similar social service care on the premises. A "public place" includes, but is not limited to, hospitals, restaurants, retail stores, offices, commercial establishments, elevators, indoor theaters, libraries, museums, concert halls, public conveyances, educational facilities, nursing homes, auditoriums, enclosed or partially enclosed sports arenas, meeting rooms, schools, exhibition halls, convention facilities, polling places, private clubs, gaming facilities, all government owned vehicles and facilities, including buildings and vehicles owned, leased, or operated by the State or State subcontract, healthcare facilities or clinics, enclosed shopping centers, retail service establishments, financial institutions,

education facilities, ticket areas, public hearing facilities, public restrooms, waiting areas, lobbies, bars, taverns, bowling alleys, skating rinks, reception areas, and no less than 75% of the sleeping quarters within a hotel, motel, resort, inn, lodge, bed and breakfast, or other similar public accommodations that are rented to guests, but excludes private residences.

Restaurant: Means (i) an eating establishment, including, but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, that gives or offers for sale food to the public, guests, or employees, and (ii) a kitchen or catering facility in which food is prepared on the premises for serving elsewhere. "Restaurant" includes a bar area within the restaurant.

Retail Tobacco Store: Means a retail establishment that derives more than 80% of its gross revenue from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for buying tobacco and related smoking accessories and in which the sale of other products is merely incidental. "Retail tobacco store" does not include a tobacco department or section of a larger commercial establishment or any establishment with any type of liquor, food, or restaurant license.

Smoke or Smoking: Means the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment.

State Agency: Has the meaning formerly ascribed to it in subsection (a) of Section 3 of the Illinois Purchasing Act (now repealed).

Unit of Local Government: Has the meaning ascribed to it in Section 1 of Article VII of the Illinois Constitution of 1970.

680.02 Smoking in Public Places of Employment, and Governmental Vehicles Prohibited.

No person shall smoke in a public place or in any place of employment or within 15 feet of any entrance to a public place or place of employment. No person may smoke in any vehicle owned, leased, or operated by the State or a political subdivision of the State. Smoking is prohibited in indoor public places and workplaces unless specifically exempted by Section 5 of this Chapter.

680.03 Posting of Signs; Removal of Ashtrays.

1. "No Smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted in each public place and place of employment where smoking is prohibited by this Chapter by the owner, operator, manager, or other person in control of that place.
2. Each public place and place of employment where smoking is prohibited by this Chapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.
3. All ashtrays shall be removed from any area where smoking is prohibited by this Chapter by the owner, operator, manager, or other person having control of the area.

680.04 Smoking prohibited in student dormitories.

Notwithstanding other provision of this Chapter, smoking is prohibited in any portion of the living quarters, including, but not limited to, sleeping rooms dining areas, restrooms, laundry

areas, lobbies, and hallways, of a building used in whole or in part as a student dormitory that is owned and operated or otherwise utilized by a public or private institution of higher education.

680.05 Designation of other non-smoking areas.

Notwithstanding any other provision of this Chapter, any employer, owner, occupant, lessee, operator, manager, or other person in control of any public place or place of employment may designate a non-enclosed area of a public place or place of employment, including outdoor areas, as an area where smoking is also prohibited provided that such employer, owner, lessee or occupant shall conspicuously post signs prohibiting smoking in the manner described in subsections 1 and 2 of Section 3 of this Chapter.

680.06 Exemptions.

Notwithstanding any other provision of this Chapter, smoking is allowed in the following areas:

1. Private residences or dwelling places, except when used as a child care, adult day care, or healthcare facility or any other home-based business open to the public.
2. Retail tobacco stores as defined in Section 1 of this Chapter in operation prior to the effective date of P.A. 95-17 (410 ILCS 82/1 et seq.). The retail tobacco store shall annually file with the Department by January 31st an affidavit stating the percentage of its gross income during the prior calendar year that was derived from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, or other smoking devices for smoking tobacco and related

smoking accessories. Any retail tobacco store that begins operation after the effective date of P.A. 95-17 (410 ILCS 82/1 et seq.) may only qualify for an exemption if located in a freestanding structure occupied solely by the business and smoke from the business does not migrate into an enclosed area where smoking is prohibited.

3. Private and semi-private rooms in nursing homes and long-term care facilities that are occupied by one or more persons, all of whom are smokers and have requested in writing to be placed or to remain in a room where smoking is permitted and the smoke shall not infiltrate other areas of the nursing home.
4. Hotel and motel sleeping rooms that are rented to guests and are designated as smoking rooms, provided that all smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into non-smoking rooms or other areas where smoking is prohibited. Not more than 25% of the rooms rented to guests in a hotel or motel may be designated as rooms where smoking is allowed. The status of rooms as smoking or non-smoking may not be changed, except to permanently add additional non-smoking rooms.

680.07 Enforcement; Complaints.

1. The Berwyn City Police Department shall enforce the provisions of this Chapter and may assess fines pursuant to Section 99 of this Chapter.
2. Any person may register a complaint with the Berwyn City Police Department for a violation of this Chapter. In addition any person may register a complaint with the Department of Public Health or a State-certified local public

health department for a violation of the Smoke Free Illinois Act 410 ILCS 82/1 et. seq.

680.08 Injunctions.

The City of Berwyn through its corporation counsel or any individual personally affected by repeated violations may institute, in a circuit court, an action to enjoin violations of this Chapter.

680.09 Discrimination Prohibited.

No individual may be discriminated against in any manner because of the exercise of any rights afforded by this Chapter.

680.10 Entrances, exits, windows, and ventilation intakes.

Smoking is prohibited within a minimum distance of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited under this Chapter so as to ensure that tobacco smoke does not enter the area through entrances, exits, open windows, or other means.

680.99 Violations.

1. A person, corporation, partnership, association or other entity who violates Section 2 of this Chapter shall be fined pursuant to this Section. Each day that a violation occurs is a separate violation.
2. A person who smokes in an area where smoking is prohibited under Section 2 of this Chapter shall be fined in an amount that is not less than \$100 and not more than \$250. A person who owns, operates, or otherwise controls a public place or place of employment that violates Section 2 of this Chapter shall be

fined (i) not less than \$250 for the first violation, (ii) not less than \$500 for the second violation within one year after the first violation, and (iii) not less than \$2,500 for each additional violation within one year after the first violation.

3. Proceedings to enforce violations of this Chapter may be initiated and conducted in accordance with and pursuant to the provisions of the Codified Ordinances of the City of Berwyn providing for Administrative Adjudication of City Ordinance Violations or by any other means provided by law.

Section 3. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

Section 4. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

	YES	NO	ABSENT	PRESENT
Chapman				
Ramos				
Weiner				
Skryd				
Day				

Phelan				
Lovero				
Erickson				
(Mayor O'Connor)				
TOTAL				

Michael A. O'Connor
MAYOR

Thomas J. Pavlik
CITY CLERK



SK
THE CITY OF BERWYN, ILLINOIS

Building A New Berwyn

MICHAEL A. O'CONNOR, Mayor

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567

www.berwyn-il.gov

To: City Council and Mayor Michael O'Connor

From: Stephanie Walker

Date: March 19, 2008

Re: MRA agreement

As some of you our agreement with Metro Revenue Associates, Inc. (MRA) ends on March 31. We have discussed the contract with MRA and have decided to leave the agreement as it has been for the last year and a half. The new contract will begin April 1, 2008 and end on May 31, 2008.

A number of topics were discussed during our meetings both internally and with MRA, including the potential for bring an additional month or two of collections in-house, other ways for MRA to increase collections on older bills, software licensing issues and maintenance on the handheld devices. I reviewed the costs the City would save by bringing in an additional 30-60 days of collections in-house and determined that the additional staff time that would be needed for this process would out-weigh any potential savings in our payments to MRA, thus the current collection timing will remain the same. MRA will begin working with the state in certain cases, to potentially not allow repeat offenders to be able to renew their licenses without paying these bills. In reviewing the fees the City charges for parking fines, we discovered that while most fees double if not paid within ten days, the \$40 tickets increase only \$10 if not paid within 10 days. I would recommend we revisit this policy so to ensure consistency as well as to encourage timely payment. (I will submit my recommendation for this at another time.) MRA will ensure that we do not have any licensing issues with the number of employees and stations we need and will cover the costs of repairs to the handheld devices.

I have attached a copy of the contract for your review. We have discussed this proposal with a representative from MRA and they are in agreement with these terms.

Please concur with my recommendation and approve the attached contract. As always, please contact me if you have any questions.

AGREEMENT

This Agreement is made this ____ day of _____, 2008 by and between Metro Revenue Associates, Inc. (MRA) and the City of Berwyn (Berwyn).

WHEREAS, Berwyn has established a local ordinance violation procedure; and

WHEREAS, MRA has provided the services in connection with the local ordinance violation procedures; and

WHEREAS, MRA and Berwyn have decided that MRA shall continue to perform services previously rendered to Berwyn pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. MRA agrees to perform the following responsibilities for Berwyn:
 - a. collection of all Parking & Compliance Tickets after 30 days;
 - b. administer boot program;
 - c. administer license suspension program;
 - d. handle parking ticket payment plans
 - e. coordinate and handle parking/compliance ticket hearings;
 - f. review all monies received from its letters/hearings/payment plans and respond to any inquiries; after review, monies to be given to City of Berwyn for entry.

2. MRA agrees to handle the following with regard to the Local Ordinance Program.:
 - a. act as prosecutor for the hearings;
 - b. handle all administrative functions and follow-up with regard to Local Ordinance Tickets written by the police department;
 - c. handle the hearings for police tickets;

3. MRA and Berwyn will share the use of the current parking ticket computer system owned by MRA (ownership of hardware and software to remain with MRA); it is agreed that the system will be networked between parking computers in the police department only; it is further agreed that Berwyn will take full responsibility of all entries made to the system by its employees. Berwyn employees will only enter data into the system; any changes to the program will be made by MRA. MRA will also be responsible for all repairs and maintenance.

4. MRA will receive tickets from the City as follows: beginning March 30 MRA will receive unpaid tickets from February 1-15; April 15 - tickets from February 16-29, etc.

5. Berwyn will provide MRA with a list of paid parking tickets for which it is to receive a percentage by the 10th of each month following the collection; the Records Department of the Police Department will provide MRA the same information for compliance tickets. MRA's invoice will be submitted to the Collector's Office for review and approval and presented to the City Council for payment at the second Council meeting of each month.

6. If a ticket is paid by credit card, Berwyn will pay any fees to the credit card companies.

7. MRA is to be paid as follows:

- a. 18% of all parking ticket monies collected as per Section 4 above;
- b. 10% of all compliance ticket monies collected (on tickets received from the Records Division of the Police Department);
- c. \$2,500 per month for responsibilities concerning ALL local ordinance hearings.

8. This agreement shall begin as of April 1, 2008 and remain in effect for thirteen (13) months, ending on May 31, 2009. This Agreement may be cancelled by either party with 60 days written notice; service to be personal or by certified mail, return receipt requested.

9. This Agreement constitutes the entire understanding of the parties and supersedes all prior written and oral agreements or understandings pertaining thereto.

10. No amendments, changes, modifications, alterations, or waivers of any provision of this Agreement shall be valid unless made in writing and signed by the parties hereto.

12. This Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their successors and assigns. Neither party shall assign this Agreement to any other party without the prior consent of the other party.

13. Under no circumstances shall this Agreement be construed as one of agency, partnership, joint venture or employment between the parties. The parties shall each be solely responsible for the conduct of their respective officers, employees and agents in connection with the performance of their obligations under this Agreement.

14. This Agreement shall be governed in all respects by the laws of the State of Illinois. Venue for any litigation arising in connection with this Agreement shall be in the Circuit Court of Cook County, Illinois.

15. Any notice, demand, request, waiver or other communication to be given by one party to the other party shall be given by personal service, telefax, delivery by overnight mail delivery service, or by mailing in the United States Mail, by certified or registered mail, postage prepaid, return receipt requested, addressed to the parties at

their respective addresses as set forth below. Any such notice shall be deemed to have been given: (i) upon delivery, if personally delivered or if sent by telefax; (ii) one day after placement with an overnight mail delivery service; (iii) or, if mailed, upon receipt. Either party may change the address at which it desires to receive notice upon giving written notice of such request to the opposite party in the manner herein specified.

If to the MRA: Metro Revenue Associates, Inc.
1636 N. Wells, Suite 2202
Chicago, IL 60614

If to Berwyn: City of Berwyn
6700 West 26th Street
Berwyn, IL 60406

In witness whereof, the parties hereto have duly executed this instrument as of the day and year first above written.

Metro Revenue Associates, Inc.

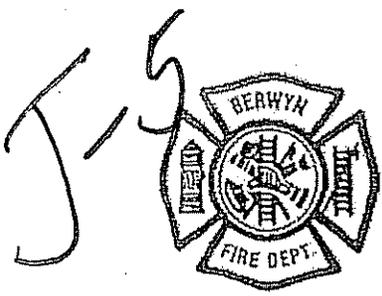
City of Berwyn

By: _____

By: _____

Its: _____

Mayor



The City of BERWYN, Illinois Fire Department

Denis O'Halloran, Fire Chief

Frank Simek, Assistant Fire Chief

6700 West 26th Street * Berwyn, Illinois 60402-0701 * Telephone: 708.788.2660 ext 251
Fax: 708.788.3990

March 19, 2008

TO: Mayor O'Connor
Members of City Council

FROM: Assistant Chief O'Halloran

RE: Recent approval of Ambulance purchases

I would like to thank the Mayor and City Council for your recent vote and support to replace our two oldest ambulances and command staff vehicles in the fleet. At this time all the vehicles have been ordered and we are waiting for their delivery in the future.

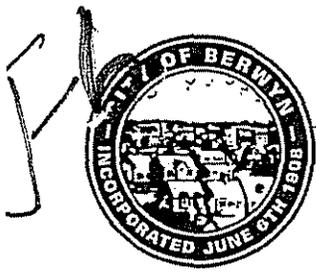
The purpose of this communication is to reserve the funds in the future for the needed vehicle and equipment replacement. Therefore I would ask that the future funds received from MRI Transports be placed into a Fire Department revenue line item or Capitol Improvement account for purchasing of Fire Department and EMS equipment and vehicles in the future. We need to begin to replace some of the equipment on the ambulances and plan for future replacement of vehicles and equipment.

Please let me know what direction to proceed.

Thank you in advance for your prompt attention on this matter.

Respectfully

Fire Chief
Denis O'Halloran



THE CITY OF **BERWYN, ILLINOIS** *Building A New Berwyn*

MICHAEL A. O'CONNOR, *Mayor*

PUBLIC WORKS DEPARTMENT

One Public Works Drive • Berwyn, Illinois 60402-0701

Telephone: (708) 749-4700 • Telephone: (708) 788-1514 • Fax: (708) 749-9503

www.berwyn-il.gov

March 21, 2008

Honorable Mayor Michael A O'Connor
And members of the Berwyn City Council
Berwyn City Hall
6700 W 26 th.St
Berwyn,60402

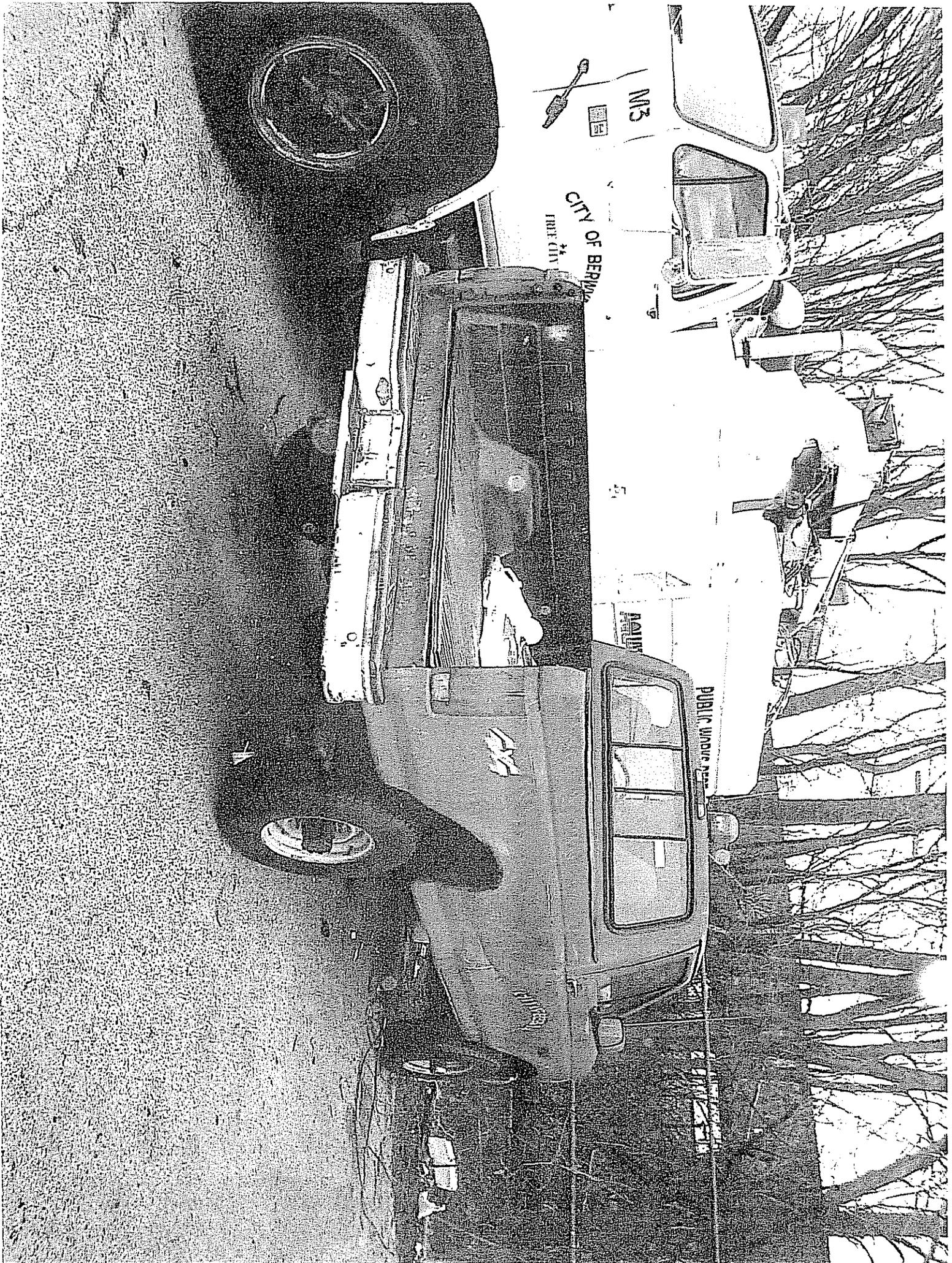
Dear Mayor and Council Members

I am respectfully requesting the scraping of unit # M-29 . This Is a 1996 Ford F350 pick-up Vin # 2FTHT36H3TCA43535. The vehicle Has 52,000 HARD miles on it and is out of service .The truck needs a transmission and transfer case . Cost to repair would be \$2500.00 to \$3000.00 depending on what used parts are available. This is the old Red graffiti truck that was passed back to Public Works when the 2000 Ford F350 (1505 Vehicle)was put in service. We plan on removing the plow equipment with hopes to install on a similar or newer vehicle.

The next vehicle is from the PD Unit # 153. This unit is a 1995 Ford Crown Vic Vin # 2FALP71WXTX147622 with 97,000 miles. The vehicle will not pass the Illinois Emission test without repairs that will exceed \$2000.00. It is not cost effective to repair a vehicle of this age and mileage. There are only two other 1995 Ford Crown Vics in the fleet and both are on borrowed time.

Respectfully

Sam Canino / Fleet Maintenance





Section K

Consent Agenda

K-1

ALDERMAN MARK WEINER
3132 Wenonah
Berwyn, Illinois 60402
MarkWeiner1@Hotmail.Com
708-484-7512
Www.ThirdWardAlderman.Com

March 20, 2008

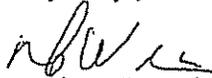
Re: Payroll

Council Members:

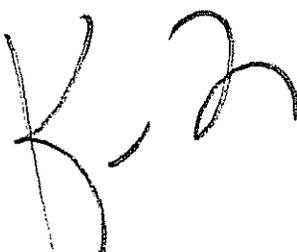
The current payroll has been prepared for review by the Finance Department and for approval at the March 25, 2008 Council meeting.

Payroll \$1,070,889.35

Very truly yours,



Mark Weiner, Budget Committee Chairman


ALDERMAN MARK WEINER
3132 Wenonah
Berwyn, Illinois 60402
MarkWeiner1@Hotmail.Com
708-484-7512
Www.ThirdWardAlderman.Com

March 20, 2008

Re: Payables

Council Members:

The current payables have been prepared for review by the Finance Department and for approval at the March 25, 2008 Council meeting.

Payables: \$1,412,777.51

Very truly yours,



Mark Weiner, Budget Committee Chairman

CITY OF BERWYN
 CHECK REGISTER
 DATE RANGE: 03/17/08 - 03/19/08

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
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01	336507	\$67.06 67.06	03/19/08 11-5-07-5300	31692		0 5 ALARM FIRE AND SAFETY EQUIPMENT, INC. A	OUTSTANDING
01	336411	\$4402.50 4402.50	03/18/08 23-5-00-5500	01480		0 A & B LANDSCAPING A	OUTSTANDING
01	336337	\$1030.00 1030.00	03/17/08 11-5-08-5335	01569		0 A-AMERICAN VETERINARY HOSPITAL A	OUTSTANDING
01	336496	\$828.88 828.88	03/19/08 11-5-07-5300	01913		0 ABBOTT RUBBER CO., INC. A	OUTSTANDING
01	336315	\$3090.00 3090.00	03/17/08 11-5-16-5230	00125		0 ACS FIREHOUSE SOLUTIONS A	OUTSTANDING
01	336413	\$24.66 24.66	03/18/08 23-5-00-5220	01565		0 AEC ONE STOP GROUP, INC. A	OUTSTANDING
01	336466	\$24141.14 7986.00 16155.14	03/19/08 11-2-00-2256 11-5-25-6011	00504		0 AETNA-U.S.HEALTHCARE A A	OUTSTANDING
01	336501	\$1298.46 1298.46	03/19/08 11-2-00-2244	10016		0 AFLAC WORLDWIDE HEADQUARTERS A	OUTSTANDING
01	336486	\$934.00 934.00	03/19/08 11-5-07-5605	01330		0 AIR ONE EQUIPMENT, INC. A	OUTSTANDING
01	336475	\$173.37 173.37	03/19/08 11-5-21-5500	00908		0 AIRGAS NORTH CENTRAL A	OUTSTANDING
01	336407	\$168.00 168.00	03/18/08 11-5-08-5500	01320		0 AL'S RADIATOR A	OUTSTANDING
01	336488	\$1400.14 1400.14	03/19/08 80-5-00-5500	01506		0 ALLIED ASPHALT A	OUTSTANDING
01	336365	\$5841.00 1053.00 526.00 918.00 3344.00	03/18/08 11-5-11-5500 15-5-00-5505 11-5-23-5300 11-5-08-5300	00076		0 ALPHA BUILDING MAINTENANCE SERVICE INC. BD CO REC PD	OUTSTANDING
01	336377	\$936.77 936.77	03/18/08 11-5-05-5400	00352		0 ARNSTEIN & LEHR LLP A	OUTSTANDING
01	336458	\$6834.30 6834.30	03/19/08 11-5-14-5245	00198		0 ART FLO SHIRT AND LETTERING A	OUTSTANDING

CITY OF BERWYN
 CHECK REGISTER
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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	336467	\$735.50 735.50	03/19/08 11-5-07-5500	00590		0 ASSOCIATED TIRE AND BATTERY A	OUTSTANDING
01	336364	\$228.58 228.58	03/18/08 11-5-07-5310	00055		0 AT & T A	OUTSTANDING
01	336451	\$736.88 77.69 659.19	03/19/08 15-5-00-5300 80-5-00-5310	00055		0 AT & T A A	OUTSTANDING
01	336338	\$6374.92 6374.92	03/17/08 11-5-16-5215	01586		0 AT&T A	OUTSTANDING
01	336322	\$947.00 947.00	03/17/08 11-5-16-5210	00351		0 AT&T INTERNET SERVICES A	OUTSTANDING
01	336372	\$112.39 112.39	03/18/08 23-5-00-5220	00219		0 AUDIO EDITIONS A	OUTSTANDING
01	336422	\$1003.48 1003.48	03/18/08 23-5-00-5220	01838		0 BAKER & TAYLOR ENTERTAINMENT A	OUTSTANDING
01	336384	\$3401.91 3401.91	03/18/08 23-5-00-5210	00531		0 BAKER & TAYLOR, INC. A	OUTSTANDING
01	336449	\$46500.60 46500.60	03/19/08 79-5-00-5200	00013		0 BARGE TERMINAL & TRUCKING A	OUTSTANDING
01	336388	\$749.63 749.63	03/18/08 23-5-00-5220	00737		0 BBC AUDIOBOOKS AMERICA A	OUTSTANDING
01	336403	\$32.97 32.97	03/18/08 23-5-00-5335	01244		0 BERWYN ACE HARDWARE A	OUTSTANDING
01	336366	\$649021.85 238500.00 19500.00 47451.50 238500.00 74234.61 30835.74	03/18/08 56-5-56-8100 57-5-57-8130 55-5-55-8120 58-5-58-8110 55-5-55-8120 57-5-57-8130	00078		0 BERWYN DEVELOPMENT CORP CT RR SOUTH BERWYN OGDEN A A	OUTSTANDING
01	336382	\$132.20 132.20	03/18/08 11-5-11-5500	00514		0 BERWYN WESTERN PLBG. & HEATING A	OUTSTANDING
01	336412	\$198.67 198.67	03/18/08 23-5-00-5220	01545		0 BLACKSTONE AUDIOBOOKS A	OUTSTANDING

CITY OF BERWYN
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01	336390	\$2180.00 2180.00	03/18/08 11-5-11-5500	00888		0 BOB'S LAWN CARE A	OUTSTANDING
01	336369	\$9981.00 9981.00	03/18/08 11-5-20-5500	00120		0 BOURBONNAIS SUPPLY CO, INC. A	OUTSTANDING
01	336387	\$170.28 170.28	03/18/08 23-5-00-5335	00678		0 BRODART CO. A	OUTSTANDING
01	336339	\$148.00 148.00	03/17/08 11-5-12-5300	01609		0 CARD IMAGING A	OUTSTANDING
01	336483	\$101.91 101.91	03/19/08 51-5-00-5601	01191		0 CARDIAC SCIENCE CORPORATION A	OUTSTANDING
01	336397	\$2088.23 2088.23	03/18/08 11-5-16-5300	01043		0 CARDINAL CARTIDGE, INC. A	OUTSTANDING
01	336395	\$295.00 295.00	03/18/08 23-5-00-5335	00996		0 CASE LOTS INC A	OUTSTANDING
01	336367	\$36.00 36.00	03/18/08 11-5-20-5500	00084		0 CASSIDY TIRE A	OUTSTANDING
01	336418	\$1522.54 917.99 604.55	03/18/08 23-5-00-5335 11-5-16-5215	01800		0 CDW GOVERNMENT, INC. A A	OUTSTANDING
01	336508	\$2254.34 2254.34	03/19/08 56-5-56-8100	33382		0 CHRISTOPHER B.BURKE ENGINEERING, LTD. A	OUTSTANDING
01	336437	\$24.00 24.00	03/18/08 23-5-00-5245	33301		0 CICERO PUBLIC LIBRARY A	OUTSTANDING
01	336329	\$414.50 48.50 81.50 55.95 81.50 81.50 65.55	03/17/08 11-5-07-5500 11-5-07-5500 11-5-07-5500 11-5-07-5500 11-5-07-5500 11-5-23-5500	00976		0 CINTAS # 769 A A A A A A	OUTSTANDING
01	336393	\$105.85 105.85	03/18/08 11-5-11-5500	00976		0 CINTAS # 769 A	OUTSTANDING
01	336477	\$566.28 416.90	03/19/08 11-5-07-5500	00976		0 CINTAS # 769 A	OUTSTANDING

CITY OF BERWYN
 CHECK REGISTER
 DATE RANGE: 03/17/08 - 03/19/08

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		149.38	80-5-00-5300			A	
01	336360	\$242299.20 242299.20	03/18/08 80-5-00-5200	00005		0 CITY OF CHICAGO A	OUTSTANDING
01	336343	\$8375.00 8375.00	03/17/08 11-5-25-5245	01659		0 CNA SURETY A	OUTSTANDING
01	336470	\$290.00 130.00 80.00 80.00	03/19/08 11-5-02-5505 11-5-01-5505 11-5-02-5505	00762		0 COLUMN OFFICE EQUIPMENT A MO CC	OUTSTANDING
01	336311	\$792.35 792.35	03/17/08 11-5-20-5500	00009		0 COMM ED A	OUTSTANDING
01	336361	\$84.25 84.25	03/18/08 79-5-00-5520	00009		0 COMM ED A	OUTSTANDING
01	336447	\$33.61 33.61	03/19/08 79-5-00-5520	00009		0 COMM ED A	OUTSTANDING
01	336330	\$439.15 439.15	03/17/08 11-5-08-5310	01080		0 COMMUNICATIONS REVOLVING FUND A	OUTSTANDING
01	336481	\$100.00 100.00	03/19/08 11-5-01-5210	01167		0 COMMUNITY SUPPORT SERVICES, INC. A	OUTSTANDING
01	336331	\$1365.00 1365.00	03/17/08 11-5-16-5210	01148		0 COMPUTER POWER SYSTEMS, INC. A	OUTSTANDING
01	336401	\$760.00 760.00	03/18/08 11-5-16-5400	01148		0 COMPUTER POWER SYSTEMS, INC. A	OUTSTANDING
01	336439	\$1000.00 1000.00	03/18/08 11-5-14-5245	33527		0 CONCORDIA REALTY A	OUTSTANDING
01	336460	\$10000.00 10000.00	03/19/08 80-5-00-5320	00225		0 CONSTELLATION NEW ENERGY INC. A	OUTSTANDING
01	336392	\$18.48 18.48	03/18/08 23-5-00-5210	00938		0 CONSUMER REPORTS A	OUTSTANDING
01	336433	\$115.35 35.35 80.00	03/18/08 23-5-00-5230 23-5-00-5240	32832		0 DANIELLE TAYLOR CAPPELLETTI SUB PROGRAMS	OUTSTANDING
01	336354	\$660.00	03/17/08	20234		0 DANNY RODRIQUEZ	OUTSTANDING

CITY OF BERWYN
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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		660.00	11-4-00-4340			A	
01	336408	\$7617.79	03/18/08	01344		0 DELAGE LANDEN FINANCIAL SERVICES	OUTSTANDING
		791.37	11-5-01-5505			MO	
		626.27	11-5-02-5505			CC	
		732.75	11-5-06-5505			FIN	
		626.27	11-5-07-5505			FD	
		2083.02	11-5-08-5505			PD	
		626.27	11-5-11-5505			BD	
		821.67	11-5-23-5505			REC	
		683.90	32-5-00-5505			CDBG	
		626.27	80-5-00-5505			WD	
01	336346	\$15225.00	03/17/08	01916		0 DON MORRIS ARCHITECTS, P.C.	OUTSTANDING
		15225.00	11-5-11-5400			A	
01	336443	\$2016.00	03/18/08	33896		0 EARL BRIGGS	OUTSTANDING
		2016.00	11-5-08-5150			A	
01	336485	\$252.00	03/19/08	01288		0 EL DIA NEWSPAPER	OUTSTANDING
		252.00	32-5-00-5300			A	
01	336385	\$568.56	03/18/08	00576		0 FACTS ON FILE NEWS SERVICES	OUTSTANDING
		568.56	23-5-00-5210			A	
01	336324	\$22.93	03/17/08	00459		0 FEDERAL EXPRESS CORPORATION	OUTSTANDING
		22.93	11-5-06-5300			A	
01	336489	\$290.00	03/19/08	01549		0 FEDERAL RENT-A-FENCE, INC.	OUTSTANDING
		290.00	56-5-56-8100			A	
01	336345	\$1865.00	03/17/08	01760		0 FLASH ELECTRIC CO.	OUTSTANDING
		1230.00	11-5-11-5210			A	
		350.00	11-5-11-5500			A	
		285.00	11-5-11-5500			A	
01	336494	\$1380.00	03/19/08	01760		0 FLASH ELECTRIC CO.	OUTSTANDING
		1380.00	11-5-11-5210			A	
01	336406	\$45.48	03/18/08	01303		0 FMP	OUTSTANDING
		45.48	15-5-00-5230			A	
01	336464	\$26.00	03/19/08	00322		0 FOREST DOOR, INC.	OUTSTANDING
		26.00	11-5-07-5300			A	
01	336353	\$150.00	03/17/08	20233		0 FRANCISCO ROSALES	OUTSTANDING
		150.00	11-5-11-5300			A	

CITY OF BERWYN
 CHECK REGISTER
 DATE RANGE: 03/17/08 - 03/19/08

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	336318	\$3363.86 1800.23 1563.63	03/17/08	00167		0 FRANK NOVOTNY & ASSC. MFT CT	OUTSTANDING
01	336370	\$225.00 225.00	03/18/08	00167		0 FRANK NOVOTNY & ASSC. A	OUTSTANDING
01	336455	\$1187.00 1187.00	03/19/08	00167		0 FRANK NOVOTNY & ASSC. A	OUTSTANDING
01	336456	\$7669.68 7669.68	03/19/08	00167		0 FRANK NOVOTNY & ASSC. A	OUTSTANDING
01	336371	\$7963.60 646.62 7316.98	03/18/08	00182		0 FREEWAY FORD TRUCK SALES INC A A	OUTSTANDING
01	336417	\$746.86 746.86	03/18/08	01786		0 GALE A	OUTSTANDING
01	336335	\$119.90 59.95 59.95	03/17/08	01497		0 GALLS INCORPORATED A A	OUTSTANDING
01	336453	\$298.00 298.00	03/19/08	00093		0 GATEHOUSE MEDIA SUBURBAN NEWSPAPERS A	OUTSTANDING
01	336459	\$40.80 40.80	03/19/08	00201		0 GREAT WEST ELECTRIC SUPPLY CO A	OUTSTANDING
01	336376	\$137.02 137.02	03/18/08	00333		0 HARRIS BANK a	OUTSTANDING
01	336448	\$5106.37 5106.37	03/19/08	00012		0 HD SUPPLY WATERWORKS,LTD A	OUTSTANDING
01	336421	\$82.00 82.00	03/18/08	01824		0 HIGH PSI LTD. A	OUTSTANDING
01	336362	\$203.05 203.05	03/18/08	00033		0 HIGHSMITH COMPANY A	OUTSTANDING
01	336381	\$697.43 697.43	03/18/08	00398		0 INGRAM LIBRARY SERVICES A	OUTSTANDING
01	336350	\$1070.00 1070.00	03/17/08	20228		0 INSITE REAL ESTATE,LLC A	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	336430	\$199.90 199.90	03/18/08 11-5-20-5500	31638		0 INTERSTATE BATTERY SYSTEM OF CENTRAL CHGO. A	OUTSTANDING
01	336445	\$295.00 295.00	03/18/08 23-5-00-5215	37682		0 INVESTOR'S BUSINESS DAILY A	OUTSTANDING
01	336355	\$210.00 210.00	03/17/08 11-4-00-4340	20235		0 IVAN MARTINEZ A	OUTSTANDING
01	336316	\$2351.92 2351.92	03/17/08 11-5-14-5245	00129		0 JAKE THE STRIPER A	OUTSTANDING
01	336312	\$32.99 32.99	03/17/08 11-5-16-5300	00067		0 JIM FRANK A	OUTSTANDING
01	336452	\$115.80 115.80	03/19/08 11-5-16-5300	00067		0 JIM FRANK A	OUTSTANDING
01	336487	\$4300.22 4300.22	03/19/08 11-5-07-5500	01505		0 JIMMY DIESEL A	OUTSTANDING
01	336348	\$345.00 345.00	03/17/08 15-5-00-5300	20096		0 JOE BARTOSZ A	OUTSTANDING
01	336425	\$1188.00 1188.00	03/18/08 23-5-00-5230	20172		0 JOEL HOLCOMBE A	OUTSTANDING
01	336351	\$62.52 62.52	03/17/08 11-5-07-5155	20229		0 JOSEPH HAJNY A	OUTSTANDING
01	336405	\$240.00 240.00	03/18/08 11-5-11-5210	01273		0 JOSEPH M.CRISCIONE A	OUTSTANDING
01	336474	\$87.15 87.15	03/19/08 80-5-00-5505	00880		0 JULIE, INC. A	OUTSTANDING
01	336432	\$660.74 93.38 295.36 272.00	03/18/08 11-5-08-5500 15-5-00-5230 11-5-23-5500	32052		0 JUST TIRES A A A	OUTSTANDING
01	336505	\$3960.00 3960.00	03/19/08 11-5-08-5150	20237		0 KARLAS ROBINZINE A	OUTSTANDING
01	336428	\$25.00 25.00	03/18/08 23-5-00-5230	31423		0 KATHLEEN BEHRENDT A	OUTSTANDING
01	336347	\$295.37	03/17/08	01933		0 KDD OF ILLINOIS, LTD.	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		295.37	11-5-08-5500			A	
01	336497	\$9.00 9.00	03/19/08 11-5-20-5500	01933		0 KDD OF ILLINOIS,LTD. A	OUTSTANDING
01	336426	\$116.00 116.00	03/18/08 23-5-00-5215	20231		0 KELLEY BLUE BOOK A	OUTSTANDING
01	336314	\$151.00 151.00	03/17/08 11-5-16-5220	00108		0 KMR TECHNICAL SERVICES INC. A	OUTSTANDING
01	336333	\$1050.00 1050.00	03/17/08 11-5-23-5300	01379		0 L G SPORTS OFFICIALS A	OUTSTANDING
01	336358	\$35.00 35.00	03/17/08 23-5-00-5245	32565		0 LAGRANGE PUBLIC LIBRARY A	OUTSTANDING
01	336435	\$194.35 194.35	03/18/08 23-5-00-5220	33133		0 LANDMARK AUDIOBOOKS A	OUTSTANDING
01	336336	\$84.95 84.95	03/17/08 11-5-23-5500	01515		0 LEMBKE & SONS TRUE VALUE HARDWARE,INC. A	OUTSTANDING
01	336498	\$1771.00 1771.00	03/19/08 11-2-00-2251	10005		0 LOCAL 705 A	OUTSTANDING
01	336441	\$15.00 15.00	03/18/08 23-5-00-5230	33871		0 MARY FRANK A	OUTSTANDING
01	336473	\$1008.95 1008.95	03/19/08 11-5-07-5300	00870		0 MAS MODERN MARKETING A	OUTSTANDING
01	336479	\$6060.00 6060.00	03/19/08 11-5-07-5210	01048		0 MEDICAL REIMBURSEMENT SERVICES, INC. A	OUTSTANDING
01	336440	\$9.99 9.99	03/18/08 23-5-00-5335	33560		0 MENARD'S HODGKINS A	OUTSTANDING
01	336389	\$14037.71 9576.02 4461.69	03/18/08 11-5-08-5500 11-5-08-5500	00821		0 METRO GARAGE INC A A	OUTSTANDING
01	336363	\$488.05 488.05	03/18/08 23-5-00-5305	00040		0 METROPOLITAN LIBRARY SYSTEM A	OUTSTANDING
01	336383	\$100.49 100.49	03/18/08 23-5-00-5230	00520		0 METROPOLITAN LIBRARY SYSTEM A	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	336509	\$5654.43 5654.43	03/19/08 11-5-08-5150	34002		0 MICHAEL CIROLIA A	OUTSTANDING
01	336450	\$471.30 471.30	03/19/08 11-5-04-5208	00026		0 MICHAEL PHELAN A	OUTSTANDING
01	336434	\$16.95 16.95	03/18/08 23-5-00-5220	33116		0 MICRO MARKETING,LLC A	OUTSTANDING
01	336491	\$1764.00 1764.00	03/19/08 11-5-07-5300	01608		0 MID-MINNESOTA WIRE & MFG. INC A	OUTSTANDING
01	336340	\$1700.00 1700.00	03/17/08 11-5-08-5330	01610		0 MID-SOUTH INSTITUTE OF SELF-DEFENSE SHOOTING, A	OUTSTANDING
01	336506	\$145.76 145.76	03/19/08 11-5-20-5505	31591		0 MIDAS AUTO SERVICE EXPERTS A	OUTSTANDING
01	336420	\$85.00 85.00	03/18/08 23-5-00-5235	01817		0 MLB FINANCIAL SERVICES,LTD A	OUTSTANDING
01	336310	\$50.00 50.00	03/17/08 11-5-02-5220	00001		0 MUNICIPAL SERVICES,INC. A	OUTSTANDING
01	336328	\$2789.14 2789.14	03/17/08 11-5-08-5500	00929		0 McDONOUGH MECHANICAL SERVICES,INC. A	OUTSTANDING
01	336461	\$25.00 25.00	03/19/08 15-5-00-5215	00247		0 NATIONAL ASSOCIATION OF TOWN WATCH A	OUTSTANDING
01	336423	\$19409.10 19409.10	03/18/08 79-5-00-5200	01863		0 NATIONAL SALT SUPPLY, INC A	OUTSTANDING
01	336495	\$10780.25 10780.25	03/19/08 79-5-00-5200	01863		0 NATIONAL SALT SUPPLY, INC A	OUTSTANDING
01	336438	\$20.00 20.00	03/18/08 23-5-00-5215	33308		0 NATIONAL TRUST FOR HISTORIC PRESERVATION A	OUTSTANDING
01	336500	\$257.00 257.00	03/19/08 11-2-00-2243	10014		0 NCPERS GROUP LIFE INS-UNIT # 3326 A	OUTSTANDING
01	336465	\$10716.15 10273.65 442.50	03/19/08 56-5-56-8100 55-5-55-8120	00457		0 NEAL & LEROY,L.L.C. CERMAK TIF SOUTH BERWYN	OUTSTANDING
01	336374	\$55.34 55.34	03/18/08 11-5-16-5300	00301		0 NEXTEL COMMUNICATIONS A	OUTSTANDING

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		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	336463	\$306.50 306.50	03/19/08 80-5-00-5310	00301		0 NEXTEL COMMUNICATIONS A	OUTSTANDING
01	336341	\$2830.00 2578.00 252.00	03/17/08 11-5-23-5325 11-5-23-5325	01632		0 NICOR GAS A A	OUTSTANDING
01	336415	\$8485.59 8485.59	03/18/08 11-5-08-5320	01632		0 NICOR GAS A	OUTSTANDING
01	336492	\$5208.04 5208.04	03/19/08 80-5-00-5320	01632		0 NICOR GAS A	OUTSTANDING
01	336429	\$56.00 56.00	03/18/08 11-5-02-5300	31431		0 O'REILLY'S FLOWERS A	OUTSTANDING
01	336480	\$89098.75 64683.50 6618.05 15363.45 2351.25 82.50	03/19/08 11-5-05-5400 55-5-55-8120 56-5-56-8100 57-5-57-8130 58-5-58-8110	01094		0 ODELSON & STERK, LTD. GEN SO BERWYN CERMAK RR OGDEN	OUTSTANDING
01	336436	\$50.32 43.14 7.18	03/18/08 23-5-00-5335 23-5-00-5335	33183		0 OFFICE DEPOT A A	OUTSTANDING
01	336319	\$569.54 569.54	03/17/08 11-5-08-5335	00195		0 OFFICE EQUIPMENT SALES A	OUTSTANDING
01	336427	\$121.57 121.57	03/18/08 23-5-00-5220	20232		0 PARACLETE PRESS, INC. A	OUTSTANDING
01	336442	\$500.00 500.00	03/18/08 11-2-00-2450	33875		0 PERRY BATEMAN A	OUTSTANDING
01	336359	\$1993.98 1993.98	03/17/08 11-5-23-5335	32703		0 PERSONALIZED AWARDS LLC A	OUTSTANDING
01	336391	\$3068.59 3068.59	03/18/08 23-5-00-5500	00913		0 PETAR DUMANOVIC, LLC A	OUTSTANDING
01	336327	\$65.60 65.60	03/17/08 11-5-23-5500	00917		0 PORTER ATHLETIC EQUIPMENT CO. A	OUTSTANDING
01	336472	\$2221.30 2221.30	03/19/08 11-2-00-2241	00786		0 PRUDENTIAL INS CO. OF AMERICA A	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	336502	\$9680.00 9680.00	03/19/08 57-5-57-8130	20082		0 RAMON ALEX PRIETO A	OUTSTANDING
01	336416	\$368.00 368.00	03/18/08 23-5-00-5220	01647		0 RANDOM HOUSE, INC. A	OUTSTANDING
01	336478	\$151.66 151.66	03/19/08 11-5-07-5500	01042		0 RCOR, INC. A	OUTSTANDING
01	336446	\$698.00 698.00	03/18/08 23-5-00-5210	37947		0 RECORD INFORMATION SERVICES, INC. A	OUTSTANDING
01	336410	\$214.95 214.95	03/18/08 23-5-00-5335	01384		0 RESEARCH TECHNOLOGY INT'L A	OUTSTANDING
01	336332	\$712.50 712.50	03/17/08 11-5-23-5335	01271		0 RICOH AMERICAS CORP. A	OUTSTANDING
01	336398	\$383.56 17.99 140.28 22.94 57.82 84.00 60.53	03/18/08 11-5-08-5500 11-5-08-5500 11-5-08-5500 11-5-06-5300 11-5-06-5300 11-5-08-5500	01055		0 RIZZA FORD A A A A A A	OUTSTANDING
01	336484	\$86.50 86.50	03/19/08 32-5-00-5250	01240		0 ROBERT DWAN A	OUTSTANDING
01	336320	\$141.22 141.22	03/17/08 11-5-08-5500	00280		0 ROSCOE COMPANY A	OUTSTANDING
01	336373	\$92.71 92.71	03/18/08 11-5-11-5500	00280		0 ROSCOE COMPANY A	OUTSTANDING
01	336462	\$228.27 228.27	03/19/08 15-5-00-5500	00280		0 ROSCOE COMPANY A	OUTSTANDING
01	336375	\$2700.00 2700.00	03/18/08 11-5-21-5500	00308		0 RUNNION EQUIPMENT COMPANY A	OUTSTANDING
01	336454	\$5147.52 5147.52	03/19/08 11-5-20-5500	00158		0 RUSSO POWER EQUIPMENT A	OUTSTANDING
01	336356	\$999.48 194.12 154.80	03/17/08 11-5-23-5210 11-5-23-5335	30617		0 SAM'S CLUB SUPP REC	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		650.56	11-5-23-5215			EVENTS	
01	336357	\$91.65 36.13 39.76 15.76	03/17/08 11-5-23-5335 11-5-23-5215 11-5-23-5210	30617		0 SAM'S CLUB REC TM SUPP	OUTSTANDING
01	336431	\$24.05 24.05	03/18/08 23-5-00-5210	31955		0 SCHOLASTIC LIBRARY PUBLISHING, INC. A	OUTSTANDING
01	336414	\$56.34 56.34	03/18/08 23-5-00-5335	01629		0 SHANE'S OFFICE SUPPLY CO. AS	OUTSTANDING
01	336352	\$1475.00 1475.00	03/17/08 11-2-00-2400	20230		0 SNL REALTY-SCOTT GOTTLIEB A	OUTSTANDING
01	336469	\$750.00 750.00	03/19/08 11-5-07-5330	00759		0 SOUTHWEST UNITED FIRE DISTRICTS A	OUTSTANDING
01	336334	\$674.67 674.67	03/17/08 11-5-08-5310	01479		0 SPRINT A	OUTSTANDING
01	336503	\$7103.00 7103.00	03/19/08 32-5-00-5299	20213		0 SRCA A	OUTSTANDING
01	336378	\$298.00 298.00	03/18/08 23-5-00-5215	00362		0 STANDARD & POOR'S A	OUTSTANDING
01	336396	\$1869.09 1869.09	03/18/08 11-5-20-5500	01000		0 STANDARD EQUIPMENT CO A	OUTSTANDING
01	336493	\$468.00 468.00	03/19/08 80-5-00-5505	01751		0 SUBURBAN LABORATORIES, INC. A	OUTSTANDING
01	336404	\$190.12 190.12	03/18/08 11-5-11-5500	01254		0 SUBURBAN TIRE COMPANY A	OUTSTANDING
01	336394	\$693.79 520.08 173.71	03/18/08 11-5-11-5300 15-5-00-5300	00989		0 T-MOBILE BLD CO	OUTSTANDING
01	336444	\$15.00 15.00	03/18/08 23-5-00-5230	34762		0 TAMMY CLAUSEN A	OUTSTANDING
01	336399	\$35.00 35.00	03/18/08 11-5-06-5300	01106		0 TARGET AUTO PARTS A	OUTSTANDING
01	336380	\$116.06	03/18/08	00391		0 TELE-TRON ACE HARDWARE	OUTSTANDING

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		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		40.36	11-5-11-5500			A	
		75.70	23-5-00-5335			A	
01	336424	\$286.05	03/18/08	01929		0 THE AV CAPE	OUTSTANDING
		286.05	23-5-00-5220			A	
01	336400	\$80.01	03/18/08	01134		0 THE LIBRARY STORE	OUTSTANDING
		80.01	23-5-00-5335			A	
01	336325	\$320.00	03/17/08	00591		0 THE SIGN EDGE	OUTSTANDING
		320.00	11-5-23-5210			A	
01	336468	\$90.00	03/19/08	00591		0 THE SIGN EDGE	OUTSTANDING
		90.00	11-5-07-5300			A	
01	336349	\$1475.00	03/17/08	20227		0 TIFFANY J.OYOS	OUTSTANDING
		1475.00	11-2-00-2400			A	
01	336321	\$168.86	03/17/08	00319		0 TOY'S R'US	OUTSTANDING
		168.86	11-5-23-5335			A	
01	336317	\$119.90	03/17/08	00140		0 TRI-TAYLOR UNIFORMS, INC.	OUTSTANDING
		119.90	11-5-08-5500			A	
01	336409	\$2041.39	03/18/08	01364		0 TRYAD AUTOMOTIVE	OUTSTANDING
		80.70	11-5-20-5200			A	
		68.16	11-5-08-5500			A	
		582.28	11-5-08-5500			A	
		179.10	11-5-08-5500			A	
		226.56	11-5-08-5500			A	
		114.28	11-5-11-5500			A	
		64.32	11-5-11-5500			A	
		71.88	11-5-20-5200			A	
		83.29	15-5-00-5230			A	
		453.12	11-5-08-5500			A	
		117.70	11-5-06-5300			A	
01	336402	\$214.80	03/18/08	01163		0 UNIQUE MANAGEMENT SERVICES, INC.	OUTSTANDING
		214.80	23-5-00-5245			A	
01	336344	\$37.56	03/17/08	01750		0 UNITED PARCEL SERVICE	OUTSTANDING
		37.56	11-5-14-5245			A	
01	336499	\$19.00	03/19/08	10006		0 UNITED WAY OF BERWYN	OUTSTANDING
		19.00	11-2-00-2252			A	
01	336368	\$56.90	03/18/08	00111		0 UNIVERSITY OF ILLINOIS	OUTSTANDING
		56.90	23-5-00-5210			A	

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01	336482	\$452.80 452.80	03/19/08 11-5-07-5300	01171		0 US GAS A	OUTSTANDING
01	336471	\$2704.25 2704.25	03/19/08 11-5-07-5160	00767		0 VCG UNIFORM/CARLSON MURRAY A	OUTSTANDING
01	336490	\$3240.00 3240.00	03/19/08 79-5-00-5515	01582		0 VISU-SEWER OF ILLINOIS,LLC A	OUTSTANDING
01	336326	\$50.10 50.10	03/17/08 11-5-08-5300	00698		0 WALGREENS CO. A	OUTSTANDING
01	336313	\$1154.19 51.71 40.58 581.51 246.52 143.78 90.09	03/17/08 80-5-00-5300 11-5-06-5300 11-5-20-5300 11-5-07-5300 15-5-00-5300 15-5-00-5300	00069		0 WAREHOUSE DIRECT A A A A A A	OUTSTANDING
01	336342	\$46552.57 89.42 197.54 1181.74 13907.67 253.65 45.00 17696.93 5006.67 2264.79 1913.75 3866.54 128.87	03/17/08 32-5-00-5300 80-5-00-5300 11-5-11-5300 11-5-20-5320 11-5-23-5300 23-5-00-5300 11-5-08-5320 11-5-07-5320 11-5-20-5320 11-5-20-5320 11-5-20-5320 11-5-20-5320 11-5-20-5320	01641		0 WARREN OIL COMPANY CDEG WD BD PW REC LIB PD FD 98 100 MORTON HEALTH	OUTSTANDING
01	336323	\$22.00 22.00	03/17/08 11-5-11-5300	00377		0 WATER ONE A	OUTSTANDING
01	336379	\$118.00 118.00	03/18/08 11-5-11-5300	00377		0 WATER ONE A	OUTSTANDING
01	336457	\$60.00 30.00 30.00	03/19/08 11-5-01-5210 11-5-04-5204	00180		0 WEST CENTRAL MUNICIPAL CONFERE MO SKRYD	OUTSTANDING
01	336504	\$3321.07 3321.07	03/19/08 32-5-00-5270	20236		0 WEST SUBURBAN SENIOR SERVICES A	OUTSTANDING

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		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	336476	\$257.59 257.59	03/19/08 11-5-07-5500	00963		0 WHEELED COACH INDUSTRIES A	OUTSTANDING
01	336386	\$250.00 250.00	03/18/08 11-5-20-5500	00598		0 WIDAMAN SIGNS A	OUTSTANDING
01	336419	\$268.52 268.52	03/18/08 23-5-00-5335	01803		0 ZEE MEDICAL, INC. A	OUTSTANDING
TOTAL # OF ISSUED CHECKS:			200	TOTAL AMOUNT:		1412777.51	
TOTAL # OF VOIDED/REISSUED CHECKS:			0	TOTAL AMOUNT:		0.00	
TOTAL # OF ACH CHECKS:			0	TOTAL AMOUNT:		0.00	
TOTAL # OF UNISSUED CHECKS:			0				

FUND TOTALS

FUND	FUND NAME	ISSUED TOTAL	VOIDED/REISSUED TOTAL
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011	GENERAL FUND	321,251.75	0.00
015	COMMUNITY OUTREACH FUND	2,033.67	0.00
023	LIBRARY FUND	22,350.86	0.00
032	CDBG PROJECT FUND	19,503.57	0.00
051	MISC GRANT FUND	101.91	0.00
055	SOUTH BERWYN CORRIDOR TIF FUND	128,746.66	0.00
056	CERMAK TIF DISTRICT	269,432.07	0.00
057	ROOSEVELT TIF FUND	62,366.99	0.00
058	OGDEN AVE. TIF DISTRICT	238,582.50	0.00
079	MOTOR FUEL TAX	81,848.04	0.00
080	WATER AND SEWER	266,559.49	0.00
		=====	=====
	TOTAL -	1,412,777.51	0.00