

THOMAS G. SHAUGHNESSY
MAYOR

MICHAEL J. WOODWARD
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
APRIL 27, 2004

- 1) The Regular Meeting of the Berwyn City Council was called to order at 8:00 p.m. with Mayor Shaughnessy presiding. Upon the Call of the Roll, the following members responded PRESENT: Chapman, A. Bojovic, B. Bojovic, Brocato, Fron, Lovero, Fortunato. Absent: Pechota. Thereafter, the Chair declared a quorum present and the meeting duly convened for further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for moment of silence for the betterment of the community and for the safe return of all our service people, and for those who are ill or in need especially Evelyn Pechota, mother of Alderman Pechota. Thereafter, Brocato made a Motion, seconded by A. Bojovic to excuse Alderman Pechota from tonight's meeting. Motion Carried with a Voice Vote.
- 3) The Open Forum of the meeting was announced. Amy Sordelli, 1516 Wesley, spoke of her concerns over the installation of telecommunication antennas at St. Mary of Celle; Santiago Ramos, 3341 Highland, spoke of his concerns for a stop sign at 34th and Highland and the need for painted lines at that intersection.
- 4) At this time, Alderman Brocato made a Motion, seconded by Alderman Fron, to reconsider item #25 of the City Council Meeting of April 13, 2004, a communication by the Finance Director, recommending the implementation of wage increases for non-union personnel. That Motion carried by the following Roll Call: Yeas: Brocato, Fron, Lovero, Fortunato. Nays: Chapman, A. Bojovic, B. Bojovic. Excused: Pechota. Thereafter, Brocato made a Motion, seconded by Fron concur with said recommendation. That Motion carried by the following Roll Call: Yeas: Brocato, Fron, Lovero, Fortunato. Nays: Chapman, A. Bojovic, B. Bojovic. Excused: Pechota. Finally, Lovero made a Motion, seconded by Fron, to approve the minutes as presented. That Motion Carried by a Voice Vote. Alex Bojovic made mention that he disapproved of the procedure approving the minutes.
- 5) The Mayor submitted a Proclamation proclaiming April 27, 2004, as Morton Boys Basketball Day in Berwyn. Lovero made a Motion, which was unanimously seconded, to Adopt a Proclamation as presented and place same on its way to passage. That Motion Carried by a Voice Vote.

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- 6) The Mayor submitted a Proclamation proclaiming May 2 through May 8, 2004, to be Municipal Clerks Week in Berwyn. Brocato made a Motion, seconded by Lovero, to Adopt the Proclamation as presented and place same on its way to passage. That Motion Carried by a Voice Vote.
- 7) The Mayor submitted a Proclamation proclaiming May 3 through May 9, 2004, as National Historic Preservation Week in Berwyn. Lovero made a Motion, seconded by Chapman, to Adopt the Proclamation as presented and place same on its way to passage. That Motion Carried by a Voice Vote.
- 8) The Mayor submitted a Proclamation proclaiming May 2, 2004 as Special Olympics Illinois Area 5 Day in Berwyn. Brocato made a Motion which was unanimously seconded, to Adopt the Proclamation as presented and place same on its way to passage. That Motion Carried by Voice Vote.
- 9) The Mayor submitted a communication requesting concurrence in the appointment of Officers in accordance with Chapter 242.03 (b). Lovero made a Motion, seconded by Brocato, to waive reading and defer the matter. That Motion Carried by Voice Vote.
- 10) The City Clerk submitted a communication regarding the Updating and Revision of the Codified Ordinances. Thereafter, Brocato made a Motion, seconded by Chapman, to defer the matter for a 30 day period. That Motion Carried by a Voice Vote.
- 11) The Zoning Board of Appeals made a Resolution and a Variation Ordinance pertaining to Ray Shingle and T-Mobile, 1448 South Wesley Avenue, for a variation to install antennas on the roof and cabinets on the ground level with 36 cables (St. Mary of Celle Church). Thereafter, Fortunato made a Motion, seconded by Brocato, to concur with the recommendation, and Adopt the Resolution and Variation Ordinance as presented and place same on its way to passage. That Motion carried by the following Roll Call: Yeas: A. Bojovic, B. Bojovic, Brocato, Fron, Lovero, Fortunato. Nays: Chapman Excused: Pechota.
- 12) Alderman Fron submitted a communication regarding the Mayor's appointment of a new Building Director and his opinion that said appointment was premature for various reasons. After discussion, Fron made a Motion, seconded by Brocato, to accept the matter as informational. That Motion Carried by a Voice Vote.

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- 13) Alderman Fron submitted a communication requesting that a 90 minute parking sign on the corner of Oak Park Ave. and 16th St. be removed. Thereafter, Fron made a Motion, seconded by Chapman, to refer the matter to the Parking & Traffic Committee. That Motion Carried by a Voice Vote.
- 14) The Budget Committee submitted a communication regarding non-union salary increases and recommended that the non-union salary increases be set at 5% with an 8% cap including longevity. Thereafter, Lovero made a Motion, seconded by Brocato, to accept the matter as informational. That Motion Carried by a Voice Vote.
- 15) The Budget Committee submitted a communication regarding cost saving measures and recommended that the Department Heads examine their expenses, and refer their plans to cut spending by 5%, excluding wages, to the Budget Committee. Thereafter, Lovero made a Motion, seconded by Chapman, to accept the matter as informational. That Motion carried by a Voice Vote.
- 16) The Public Works Committee submitted a communication recommending the Landscaping Maintenance Agreement for the Cermak Road TIF District, be awarded to Franks Creative Landscaping at a cost of \$22,000.00 per year. Fron made a Motion, seconded by Brocato, to concur in the recommendation. That Motion Carried by the following Roll Call: Yeas: Chapman, A. Bojovic, B. Bojovic, Brocato, Fron, Lovero, Fortunato. Nays: none. Excused: Pechota.
- 17) The Fire and Police Committee submitted a communication recommending bids for Paramedic Services for a 3 year contract be sent out to various vendors. Thereafter, Brocato made a Motion, seconded by Fron, to bring forth I-3, a deferred communication from the Director of Public Safety for same, and concur in the recommendation. That Motion Carried by a Voice Vote.
- 18) The Board of Police and Fire Commissioners submitted a communication announcing the promotion of Sam Molinaro, 11004 Stratford Drive, Willow Springs, Illinois, to the position of Lieutenant, effective April 28, 2004, filling the vacancy created by the retirement of Lieutenant Edwin Jicha. Brocato made a Motion, seconded by Fron, to accept the Matter as informational. That Motion carried by a Voice Vote.

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- 19) The Board of Police and Fire Commissioners submitted a Communication announcing Brian Marquardt, 3517 Scoville Avenue, Berwyn, Illinois, to the position of Probationary Firefighter, effective April 28, 2004, filling the position of Sam Molinaro. Brocato made a Motion, seconded by Fron, to accept the Matter as informational. That Motion Carried by a Voice Vote.
20. Alderman Chapman submitted a communication requesting the City to initiate the process of the 2003 Audit. Chapman made a Motion, seconded by A. Bojovic, to refer the matter to the Budget Committee. Motion Carried by a Voice Vote.
- 21) Alderman Chapman submitted a communication requesting Residential Parking Only on Maple, Wisconsin and Wenonah Avenues from 36th Street to 38th Street. Chapman made a Motion, seconded by B. Bojovic, to refer the matter to the Parking and Traffic Committee. That Motion Carried by a Voice Vote.
- 22) Alderman Chapman submitted a communication requesting that the General Ledger "Genledger" from October, 2003 thru the present be given to the Aldermen and made a motion, seconded by B. Bojovic, to direct the Finance Director to distribute same. That Motion failed by the following Roll Call: Yeas: Chapman, A. Bojovic, B. Bojovic. Nays: Brocato, Fron, Lovero, Fortunato. Excused: Pechota. Thereafter, Chapman made a Motion, seconded by B. Bojovic, to forward her communication to the Law Department for further action. That Motion Carried by a Voice Vote. Lovero then read a statement responding to the Alderman's communication and directed that it be attached and both submitted to the Law Department.
- 23) Alderman Chapman submitted a communication alleging improper discussions of non-union personnel salary increases by the Budget Committee at a meeting held on April 20, 2004 and made a Motion, seconded by B. Bojovic, to refer the matter to the Law Department for their review. That Motion Carried by a Voice Vote.
- 24) Alderman B. Bojovic submitted a communication requesting the installation of speed bumps in the east/west alley north of the Berwyn Garden. B. Bojovic made a Motion, seconded by Lovero, to refer the matter to the

Parking and Traffic Committee. That Motion Carried by a Voice Vote.

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- 25) Alderman B. Bojovic submitted a communication alleging a confrontation between himself and Deputy Director Ron Volanti at a Police and Fire Committee meeting held on April 21, 2004 at 10:00 am. and recommended that Deputy Volanti be terminated for his actions. Thereafter, B. Bojovic, made a Motion, seconded by A. Bojovic, to concur with the recommendation. That Motion Failed by the following Roll Call: Yeas: A. Bojovic, B. Bojovic. Nays: Chapman, Brocato, Fron, Lovero, Fortunato. Excused: Pechota.
- 26) Alderman B. Bojovic submitted a communication recommending that the 1% State Transfer Tax on home and business owners be reduced to .25%. Thereafter, B. Bojovic made a Motion, seconded by A. Bojovic, to refer the matter to the Committee of the Whole. That Motion Carried by a Voice Vote.
- 27) Alderman Lovero submitted the Payroll Report for April 27, 2004, in a total amount of \$688,893.16. Lovero made a Motion, seconded by Chapman, to approve for payment. That Motion Carried by the following Roll Call: Yeas: Chapman, Brocato, Fron, Lovero, Fortunato. Nays: A.Bojovic, B. Bojovic. Excused: Pechota.
- 28) Alderman Lovero submitted the Payables for approval for April 27, 2004 in a total amount of \$1,251,558.32. Lovero made a Motion, seconded by Chapman, to approve for payment. That Motion Carried by the following Roll Call: Yeas: Chapman, A. Bojovic, B. Bojovic, Brocato, Fron, Lovero Fortunato. Excused: Pechota.
- 29) Alderman A. Bojovic submitted a communication requesting the City to authorize an investigation by the Police and Fire Committee, into an illegal incident occurring on March 14, on the 2400 Block of East Avenue. After discussion, A. Bojovic made a Motion, seconded by B. Bojovic, to refer the matter to the Police and Fire Committee. That Motion Carried by a Voice Vote with Alderman Lovero Voting Nay.
- 30) Alderman A. Bojovic submitted a communication suggesting that the Berwyn City Council Meetings be broadcast over Comcast Cable Channel 4

and requested that the city authorize the Finance Director and or a member of the City Council, to investigate the ramifications of such broadcast. Therefore, A. Bojovic made a Motion, seconded by Chapman, to refer the matter to the Budget Committee. That Motion carried by a Voice Vote.

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- 31) Alderman A. Bojovic submitted a communication questioning the BDC on its "Candidates Forum" to be held on April 28, 2004; reiterating of various incidents involving city employees; and recommending the Mayor's and Frank Marzullo's resignation. Thereafter, A. Bojovic made a Motion, seconded by B. Bojovic, to concur with the recommendation. That Motion Failed by the following Roll Call: Yeas: A. Bojovic and B. Bojovic. Nays: Chapman, Brocato, Fron, Lovero, Fortunato. Excused: Pechota.
- 32) A deferred communication was submitted by the Berwyn Police Department requesting a Handicapped sign for Rudy Luis Aguirre, 3123 Wesley. A. Bojovic made a Motion, seconded by Brocato, to concur with the investigating officer and deny said sign. That Motion Carried by a Voice Vote.
- 33) A deferred communication was submitted by the Berwyn Police Department requesting a Handicapped sign for Laura Jean McGill-Haviland, 1517 Maple. Thereafter, Lovero made a Motion, seconded by A. Bojovic, to overrule the investigating officer, and install said sign. That Motion Carried by the following Roll Call: Yeas: Chapman, A. Bojovic, B. Bojovic, Brocato, Fron, Lovero, Fortunato. Nays: none. Excused: Pechota.
- 34) The Director of Public Works submitted a communication requesting the deletion of #21 on his referral list regarding Hiring Exterminators for Rodent Control. B. Bojovic made a Motion, seconded by A. Bojovic to accept the matter as informational, but requested location of targeted areas. That Motion Carried by a Voice Vote.
- 35) Mark Fiebig, Acting Building Director submitted a communication requesting an approval for an application for the property at 3505 Oak Park Ave. (Mr. Burgan). After discussion, Chapman made a Motion, seconded by Lovero, to concur with the recommendation. That Motion carried by the following Roll Call: Yeas: Chapman, A. Bojovic, B. Bojovic, Brocato, Fron, Lovero, Fortunato. Nays: none. Excused: Pechota.
- 36) The Law Department submitted an ordinance entitled:

**AN ORDINANCE TO AMEND BERWYN CODIFIED
ORDINANCES SECTION 462.05 TO INCREASE
CERTAIN LICENSE FEES.**

Thereafter, Lovero made a Motion, seconded by Fortunato, to waive the reading, Concur, Adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The Motion Carried by the following Roll Call: Yeas: Brocato, Fron, Lovero, Fortunato. Nays: Chapman, A. Bojovic, B. Bojovic. Excused: Pechota.

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- 37) The Law Department submitted an ordinance entitled:

**AN ORDINANCE AMENDING BERWYN CODE SECTION
895.02 TO INCREASE TAX ON PURCHASE/USE IN THE
CITY OF VEHICLE FUEL PURCHASED IN A SALE AT RETAIL**

Thereafter, Lovero made a Motion, seconded by Brocato, to refer the matter to the Budget Committee. That Motion carried by a Voice Vote.

- 38) The Law Department submitted an ordinance entitled:

**AMENDMENT TO CHAPTER 898 TO EXEMPT FROM THE
PRE-RECORDED VIDEO (TAPE) RENTAL USE TAX ANY
MATERIALS RENTED FROM THE CITY AND ANY OF ITS
DEPARTMENTS.**

Lovero made a Motion, seconded by Brocato, to waive the reading Concur, Adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. That Motion Carried by the following Roll Call: Yeas: Chapman, A. Bojovic, B. Bojovic, Brocato, Fron, Lovero, Fortunato. Nays: none. Excused: Pechota.

- 39) At this time, the Consent Agenda, Items K-1 through K-5 were submitted:

- K-1 Metro Towing Services, \$3,460.00, March, 2004
- K-2 MacNeal Hospital, \$8,250.00 for transporting patients to the MRI Center
- K-3 Combined Veterans of Berwyn - Annual Poppy Days - May 27, 28, 29, 2004.
- K-4 Block Party-1300 Elmwood - May 1, 2004
- K-5 Bash Fastpitch-Tag Days-May 16 & 23, 2004-10am-2 pm

A. Bojovic made a Motion, seconded by Chapman, to concur and accept as informational. Motion Carried by Voice Vote.

- 40) The Mayor call a Committee of the Whole meeting for Tuesday, May 11, 2004, at 7:00 p.m. on referrals.
- 41) There being no further business to come before the meeting, same was, after a motion by A. Bojovic, seconded by Chapman, adjourned, at the hour of 9:45 p.m., by roll call vote.

Respectfully submitted,

Michael J. Woodward-City Clerk