

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
OCTOBER 11, 2005

- 1) The regular meeting of the Berwyn City Council was called to order at 8:10 p.m. with Mayor O'Connor presiding. Upon the call of the roll, the following members responded present. Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Absent: none. Thereafter, the Mayor declared a quorum present and the meeting duly convened for further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the victims of the earthquake in Pakistan.
- 3) At this time, Chapman made a motion, seconded by Phelan to excuse City Clerk Pavlik from attending tonight's meeting. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 4) The Open Forum portion of the meeting was announced. Victor Teitz, 1215 Elmwood expressed concern about the number of vehicles without vehicle stickers and the use of visitor's passes. Linda Kacirek, 3025 Oak Park Avenue stated that vehicle stickers are sold from City Hall and Visitor's Passes are given out at the Police Station.
- 5) The minutes of the Berwyn City Council meeting held on September 27, 2005 were submitted. Brocato made a motion, seconded by Chapman, to approve the minutes as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 6) The minutes of the Special Berwyn City Council meeting held on October 1, 2005 were submitted. Weiner made a motion, seconded by Brocato, to approve the minutes as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Erickson. Nays: none. Abstain: Phelan, Lovero.
- 7) The bids for the Oak Park Avenue resurfacing project from Pershing Road to Ogden Avenue were submitted. Brocato made a motion, seconded by Weiner to authorize the proper officials to open the bids and proceed to the conference room to tabulate and return same to the council chambers for public reading. The motion carried by voice vote.

- 8) Alderman Chapman made a motion, seconded by Erickson to bring forth item J-1. The motion carried by voice vote.

The Berwyn Development submitted an ordinance entitled,

AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROMISSORY NOTE IN FAVOR OF THE BERWYN DEVELOPMENT CORPORATION RELATING TO THE ROOSEVELT ROAD TIF

and; a City of Berwyn Promissory Note in the amount of \$725,000 and; a legal opinion provided by Attorney Kevin Camden for the Voight Development project in the Roosevelt Road TIF District.

After discussion, Erickson made a motion, seconded by Brocato to concur, Adopt the ordinance as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 9) A deferred communication was submitted by the Mayor pertaining to an Intergovernmental Agreement between the Police Departments of the Town of Cicero and the City of Berwyn to control gang activity. Lovero made a motion, seconded by Skryd, to suspend the rules and bring forth item I-2, an amendment to the Agreement from the Law Department. The motion carried by voice vote.

Thereafter Lovero made a motion, seconded by Skryd to concur, adopt the Agreement as amended and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 10) A deferred communication was submitted by the Mayor regarding a request for 29 Postal Employee parking spaces on Vacin Fairway between Clarence and Wesley Avenues from 6:00 am to 6:00 pm Monday through Saturday. After discussion, Skryd made a motion, seconded by Phelan to concur in the recommendation as presented and refer the matter to the Public Works Department and City Collector for implementation. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 11) The Mayor submitted a communication regarding banners for light poles in the TIF Districts of the City. Chapman made a motion, seconded by Erickson to bring forth item J-2, a germane

communication from the Berwyn Development Corporation. The motion carried by voice vote.

After discussion, Chapman made a motion, seconded by Erickson to refer the matter to the Committee of the Whole. The motion carried by voice vote.

- 12) The Mayor submitted a communication requesting a change in the permit parking along the south side of the railroad tracks between Oak Park and Kenilworth Avenues to 90 minute parking. After discussion, Chapman made a motion, seconded by Erickson to refer the matter to the Public Works Department to discuss the matter with Metra. The motion carried by voice vote.
- 13) Item E-5 was withdrawn by Order of the Chair. Chapman made a motion, seconded by Ramos to concur in the recommendation. The motion carried by voice vote.
- 14) The Mayor submitted a communication regarding a request for a Class C liquor license for a restaurant located at 6500-6504 W. 16th Street. After discussion, Brocato made a motion, seconded by Phelan to refer the matter to the Committee of the Whole. The motion carried by voice vote.
- 15) The Mayor submitted a communication informing council that Victor Zamora has resigned from the Community Relations Committee and also has reappointed Nora Laureto and John Valtierra to serve two-year terms expiring on October 11, 2007. Erickson made a motion, seconded by Chapman to accept the resignation with regrets and concur in the reappointments as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 16) The Mayor submitted a communication regarding the distribution of free pizzas donated by local restaurants to residents who have working smoke detectors checked by the Berwyn Fire Department in conjunction with Fire Prevention Week. After discussion, Chapman made a motion, seconded by Brocato to accept the matter as informational with congratulations to the Fire Department for a job well done. The motion carried by voice vote.
- 17) The Mayor submitted a communication requesting an increase of two automatic amusement machines and also to increase the amount of pool tables to two for establishments that hold liquor licenses. Thereafter, Brocato made a motion, seconded by Erickson to refer the

matter to the Ordinance and Resolution Committee for an amendment to the ordinance. The motion carried by voice vote.

- 18) The Mayor submitted a communication recommending the City enter into a lease purchase agreement with Wheeled Coach for two new ambulances, which can be delivered immediately and will not require payment until October of 2006. After discussion, Lovero made a motion, seconded by Skryd to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 19) The City Clerk submitted a communication requesting that he be excused from tonight's meeting to attend the Municipal Clerks of Illinois Institute from October 11th to October 14, 2005. Brocato made a motion, seconded by Phelan to concur and accept the matter as informational. The motion carried by voice vote.
- 20) The Zoning Board of Appeals submitted a Resolution and Ordinance pertaining to the Garcia property, 2528 Grove, for a variation to build a 2nd floor addition. Weiner made a motion, seconded by Chapman to concur in the recommendation of the Zoning Board of Appeals and Adopt the Resolution and Ordinance as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 21) The Zoning Board of Appeals submitted a Resolution and Ordinance pertaining to the Paderta property, 6727 W. Stanley Avenue, for a variance to operate a Mill Shop. Skryd made a motion, seconded by Erickson, to concur in the recommendation of the Zoning Board of Appeals and deny the request as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 22) A deferred communication was submitted by the Budget Committee pertaining to the purchase of Computer Server/PC Maintenance. Chapman made a motion, seconded by Lovero to defer the matter. The motion carried by voice vote.
- 23) A deferred communication was submitted by Alderman Phelan requesting 15 minute parking on Wesley Avenue from 16th St. south to the southern property line of the North Berwyn Park District on the east side of the street and "resident parking only" zone stickers on the 1600 block of Wesley Avenue. After discussion, Phelan made a motion, seconded by Skryd to concur in the recommendation and refer the matter to the Public Works Department, Police Department and

Collector's office for implementation of same. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 24) The Education Committee submitted a communication recommending Police Officers increase traffic management at schools. Ramos made a motion, seconded by Chapman to accept the matter as informational. The motion carried by voice vote.
- 25) The Education Committee submitted a communication regarding inter school district concerns. Ramos made a motion, seconded by Chapman to accept the matter as informational. The motion carried by voice vote.
- 26) The Education Committee submitted a communication recommending the Committee discontinue conversation regarding advantages and disadvantages of creating a unit district. Ramos made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by voice vote.
- 27) Alderman Brocato submitted a communication regarding the recent carnival held in Berwyn during the Houby Festival. Brocato made a motion, seconded by Lovero to suspend the rules and bring forth item I-1, an ordinance pertaining to carnivals. The motion carried by voice vote. After discussion, Brocato made a motion, seconded by Lovero to waive the reading and refer the matter to the Law Department. The motion carried by voice vote.
- 28) The Ordinance and Resolution Committee submitted an Ordinance entitled:

AN ORDINANCE AMENDING SECTION 10 OF THE CODIFIED ORDINANCES OF BERWYN REGARDING WATER USE CHARGES AND RECONNECTION CHARGES

Lovero made a motion, seconded by Weiner to 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: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 29) The Ordinance and Resolution Committee submitted an Ordinance entitled:

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BERWYN REGARDING SWIMMING POOLS

- Lovero made a motion, seconded by Brocato to 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: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none. Thereafter, Lovero stated that a Public Hearing is necessary to amend Chapter 12 and that the matter be referred to the City Clerk for scheduling and publication.
- 30) The Ordinance and Resolution Committee submitted a communication regarding limited hours of residential parking along Windsor from Harlem to Maple and south on Maple to the alley. After discussion, Lovero made a motion, seconded by Chapman to refer the matter to the Public Works Department for installation of said signs. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
 - 31) The Ordinance and Resolution Committee submitted a communication regarding vehicle graffiti. Thereafter, Lovero made a motion, seconded by Chapman to refer the ordinance to the Police Department. The motion carried by voice vote.
 - 32) The Ordinance and Resolution Committee submitted a communication recommending that ordinance (1272.05(a) through (d) and 1272.16 for six foot fences and shrubs remain the same. Lovero made a motion, seconded by Brocato concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
 - 33) The Budget Committee submitted the payroll report for October 5, 2005 in the total amount of \$700,223.66. Chapman made a motion, seconded by Skryd, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
 - 34) The Budget Committee submitted the payable report for October 11, 2005 in the total amount of \$1,345,969.43. Chapman made a motion, seconded by Skryd, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
 - 35) Alderman Erickson submitted a communication regarding Administrative Time, Section 5 of the City of Berwyn Personnel Policy book, which was deleted in its entirety on July 12, 2005. Thereafter,

Erickson made a motion, seconded by Skryd to refer the matter to the Ordinance and Resolution Committee for a proper Resolution of same. The motion carried by voice vote.

- 36) Alderman Weiner submitted a communication recommending David Miklos be appointed as a member of the Mass Transit Board. After discussion, Phelan made a motion, seconded by Weiner to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 37) Alderman Erickson submitted a communication regarding the Budget Deficit. Thereafter, Erickson made a motion, seconded by Phelan to waive the reading and refer the matter to the Administration Committee. The motion carried by voice vote.
- 38) Dan LeBeau submitted a communication informing council that City Hall doors will be locked at 8:00 p.m. each business day and to use the west doors to exit City Hall after that time. Brocato made a motion, seconded by Skryd to accept the matter as informational. The motion carried by voice vote.
- 39) The bids for the Oak Park Avenue resurfacing project were returned to the council for public reading. Brocato made a motion, seconded by Skryd to award the contract to Brothers Asphalt Paving, Inc, the lowest bidder in the amount of \$210,666.25 subject to approval by City Engineer Frank Novotny and Associates; and pending review by the Public Works Committee; and subject to the eight (8) day protest period; and no protest being filed during the eight (8) day bidder protest period. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 40) The Berwyn Police Department submitted a request for a handicapped sign for Christopher Ortiz, 3715 Clinton. Chapman made a motion, seconded by Brocato, to defer the matter. The motion carried by voice vote.
- 41) The Berwyn Police Department submitted a request for a handicapped sign for Jeannie Villasenor, 1542 Clinton. Lovero made a motion, seconded by Brocato, to concur in the recommendation of the investigating officer and deny said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 42) The Berwyn Police Department submitted a request for a handicapped sign for Edward Jeffrey, 1834 Home. Alderman Phelan asked to be excused from voting. Thereafter, Lovero made a motion, seconded by Brocato to overrule the recommendation of the investigating officer and refer the matter to the Public Works Department to install said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero, Erickson. Nays: none. Excused: Phelan.
- 43) The Director of Outreach submitted a communication informing council that \$7,618 was realized from the Berwyn Day with the White Sox at Cellular Field for the benefit of children and senior citizens. Ramos made a motion, seconded by Skryd to accept the matter as informational with thanks to Jeanmarie Hajer.
- 44) The Berwyn Development Corporation submitted a communication regarding south Berwyn/Depot District TIF request for Bicycle Racks. Chapman made a motion, seconded by Weiner to defer and refer the matter to the Public Works Department. The motion carried by voice vote.
- 45) At this time the Consent Agenda, items K-1 through K-5 were submitted:
- K-1 Metro Towing Services-\$2,860.00 for month of September, 2005
 - K-2 N. Berwyn Park District-Pumpkin Patch-Berwyn Gardens-October 29, 2005
 - K-3 Lions Fall Candy Drive-October 14th through October 16, 2005
 - K-4 Emmanuel Bible Church-Distribution of fliers-October 17th through November 4, 2005 for Band Bash 2005
 - K-5 Business Licenses issued during September, 2005
- Brocato made a motion, seconded by Phelan to concur, accept as informational and grant permission contingent upon compliance with all City Ordinances. The motion carried by voice vote.
- 46) The Mayor called a Committee of the Whole meeting for Tuesday, October 18, 2005 at 6:00 p.m. on referrals.
- 47) Alderman Chapman called a Budget Committee meeting for Thursday, October 20, 2005 at 6:30 p.m. on referrals.
- 48) Alderman Skryd called a Building, Zoning and Planning Committee meeting for Thursday, October 27, 2005 at 6:30 p.m. on referrals.

- 49) Alderman Brocato called a Public Works Committee meeting for Wednesday, October 12, 2005 at 7:30 a.m., as previously called, at the Public Works Department.
- 50) There being no further business to come before the meeting, same was, after a motion by Brocato, seconded by Ramos, adjourned at the hour of 9:17 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk