

MICHAEL A. O'CONNOR
MAYOR

THOMAS J. PAVLIK
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
NOVEMBER 28, 2006

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:30 p.m. Upon the call of the roll the following responded present: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Absent: none.
2. The Pledge of Allegiance was recited and a moment of silence was called for the safety armed forces overseas, our own police and firefighters and belated wishes for a Happy Thanksgiving.
3. The Open Forum portion of the meeting was announced. The Mayor recognized Mike Savovic, 2242 Wesley, who voiced concerns on parking problems around the post office on Wesley and Clarence Avenues and the Sunday parking around the church on Riverside Drive in the 3rd and 4th Wards. The Mayor referred to the 3rd and 4th ward aldermen who will look into the restricted parking for the area. Mike Holum, 3206 Lombard, spoke in regard to the 5 ton load limit not being enforced on the 3200 block of Lombard between the hours of 3 am and 6am. The Mayor referred to Chief Kushner, who will monitor the area.
4. The minutes of the regular Berwyn City Council held on November 14, 2006 and the Special City Council held on November 8, 2006 were submitted. Brocato made a motion, seconded by Skryd, to approve the minutes as submitted. After discussion, the motion was withdrawn. Thereafter, Chapman made a motion, seconded by Brocato, to approve the minutes as amended, with Item 16 to include the Mayor's statement. The motion carried by a unanimous roll call vote.
5. A deferred item from the Mayor regarding Bar Hours of Operation. After discussion, Weiner made a motion, seconded by Skryd, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
6. The Mayor submitted a communication regarding the Interim Finance Director. After discussion, Chapman made a motion, seconded by Skryd, to amend the communication and extend the contract for two (2) months until January 31, 2007 and concur and approve as amended. The motion

carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Ramos.

7. The Mayor submitted a communication regarding the appointment of the Finance Director. After discussion, Skryd made a motion, seconded by Weiner, to concur and authorize the Mayor to enter into an agreement and to affix his signature thereto. The motion carried by a unanimous roll call vote.
8. The Mayor submitted a communication regarding the City Attorney. Chapman made a motion, seconded by Lovero, to bring forth item I-2 as germane and to be read into record. The motion carried by a voice vote. After discussion, Chapman made a motion, seconded by Erickson, to deny the appointment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Brocato, Phelan, Lovero, Erickson. Nays: Weiner, Skryd. Discussion ensued regarding the Mayor's authority to make temporary appointments. Thereafter, the Mayor officially made a temporary appointment of Bruce Bonebrake as City attorney.
9. The City Attorney submitted a communication requesting to Renew the Position of Assistant City Attorney and submitted an ordinance entitled:

AN ORDINANCE ESTABLISHING THE POSITION OF ASSOCIATE CITY ATTORNEY AND AMENDING THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

After discussion, Skryd made a motion, seconded by Lovero, 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, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Weiner. Thereafter, Skryd made a motion, seconded by Lovero, to concur in the appointment of Anthony Bertucca as Associate City Attorney. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Weiner.

10. The Mayor submitted a communication regarding the amendment to ordinance 242.03, Appointed Officers; Appointment Procedures, and requested to increase the number of Deputy Fire Chiefs from (4) to (5), and submitted an ordinance entitled:

AN ORDINANCE AMENDING SECTION 234.001 AND 242.03 OF THE BERWYN CODE TO INCREASE THE NUMBER OF DEPUTY FIRE CHIEFS

FROM FOUR TO FIVE IN THE FIRE DEPARTMENT IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Discussion ensued regarding the request already having been denied at the last City Council meeting of November 14, 2006. Thereafter, Skryd made a motion, seconded by Weiner, to concur and Adopt the ordinance as presented. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Brocato, O'Connor. Nays: Chapman, Phelan, Lovero, Erickson. Thereafter, Chapman requested the Mayor to amend his communication and to agree to bring the number back to (4) Deputy Chiefs if and when the department's Deputy Chiefs staff is at full strength. The Mayor agreed.

11. The Mayor submitted a communication regarding the Tax Levy for 2006. After discussion, Chapman made a motion, seconded by Skryd, to amend and increase the Proposed Property Tax Levy for 2006 to 5% and to authorize the Clerk to post and cause publication for a Public Hearing to be held on December 12, 2006 at 6:00 p.m. The motion carried by a unanimous roll call vote.
12. The Clerk submitted a communication regarding the submission of agenda items. Lovero made a motion, seconded by Chapman, to bring forth item I-5 as germane and have both communications read. The motion carried by a voice vote. Thereafter, Brocato made a motion, seconded by Chapman, to accept the communications as informational. The motion carried by a voice vote.
13. A deferred Resolution submitted by the Zoning Board of Appeals regarding the Josef Sobczak property located at 6448 W. 26th Place. Thereafter, Skryd made a motion, seconded by Chapman, to refer the matter to the Building, Zoning, and Planning committee. The motion carried by a voice vote.
14. A deferred communication from the Fire and Police committee regarding the Pay Scale for Auxiliary Police and others with the recommendation that the matter be sent to the Police Chief and be reassessed in January, 2007. After discussion, Chapman made a motion, seconded by Lovero, to defer for two (2) weeks. The motion carried by a voice vote.
15. Alderman Chapman submitted a communication regarding the change to the Festival of Lights 2006. After discussion, Chapman made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by a voice vote.

16. Alderman Skryd submitted an ordinance entitled:

AN ORDINANCE ESTABLISHING A HISTORIC PRESERVATION ORDINANCE AND AMENDING THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

Thereafter, Skryd 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 the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Erickson.

17. The Ordinance and Resolutions committee submitted a communication regarding Hours of Operation for Liquor establishments with the recommendation that the ordinance remain in committee. Lovero made a motion, seconded by Chapman, to accept as informational. The motion carried by a voice vote.

18. The Ordinance and Resolutions committee submitted an ordinance entitled:

AN ORDINANCE AMENDING THE GENERAL OFFENSES CODE OF THE CITY OF BERWYN REGARDING LOITERING

Thereafter, Lovero made a motion, seconded by Brocato, to concur and Adopt the ordinance as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

19. The Budget committee submitted the Payroll for November 15, 2006 in the total amount of \$870,406.71. Thereafter, Chapman made a motion, seconded by Ramos, to concur in the recommendation and approve for payment. The motion carried by a unanimous roll call vote. Thereafter, discussion ensued regarding the Aye vote of Aldermen Phelan and Erickson, and that it be further noted in the minutes that a vote of Aye with the exception of the Mayor's patronage hires be recorded in the minutes.

20. The Budget committee submitted the Payables for November 28, 2006, in an amended form with a request that only those items with an asterisk be approved for payment and that the remaining items be reviewed in the Budget committee. After discussion, Chapman made a motion, seconded by Erickson, to concur and approve for payment as amended. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero, Erickson. Nays: Brocato.

21. The Budget committee submitted a communication regarding Mid Year Adjustments with the recommendation to continue with Mid Year Adjustments at the next Budget meeting. Thereafter, Chapman made a motion, seconded by Skryd, to amend the communication to reflect Alderman Phelan was present but not at the time of the vote and to accept the matter as informational. The motion carried by a voice vote.
22. A deferred communication from the Berwyn Police department regarding the handicapped sign for Ervin G. Miller, 1426 Grove #1. Erickson made a motion, seconded by Brocato, to concur with the recommendation of the investigating officer and to grant permission and to refer the matter to the Public Works department for the installation of said sign. The motion carried by a unanimous roll call vote.
23. A deferred communication from the Berwyn Police department regarding the handicapped sign for Guy T. Carbonaro, 1946 Euclid. Thereafter, Phelan made a motion, seconded by Chapman, to concur with the recommendation of the investigating officer and to deny said sign. The motion carried by a voice vote.
24. The Law Department submitted a Settlement Agreement and Release between the City of Berwyn and CGI and an Assignment and Release between the City of Berwyn and the Berwyn Development Corporation. Thereafter, Brocato made a motion, seconded by Weiner, to concur and approve and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
25. The City Attorney submitted a communication regarding the Liberty Towers Ground Lease Transfer Agreement, transferring the agreement between Mid West Tower Partners ground lease rights and obligations to Globel Tower, LLC. Thereafter, Skryd made a motion, seconded by seconded by Weiner, to concur and approve the Agreement as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
26. The Police Chief submitted a communication and Agreement between RedSpeed Illinois, LLC and the City of Berwyn for traffic law enforcement system. Thereafter, Chapman made a motion, seconded by Brocato, to waive reading and to concur and approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Brocato, Lovero, Erickson. Nays: Skryd, Phelan.
27. The Director of Computer Services submitted a communication regarding Fiber Optic Infrastructure, Stage Two. Thereafter, Brocato made a motion,

seconded by Erickson, to waive reading, concur and refer to the Budget committee. The motion carried by a voice.

28. The Public Works director submitted a communication regarding the alleys behind 28th Street and 28th Place, Plat of Dedication with the recommendation that Frank Novotny and Associates provide technical assistance in an amount not to exceed \$1,600. Thereafter, Skryd made a motion, seconded by Brocato, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
29. The Public Works director submitted a communication regarding waiver of bidding and the approval of Holiday decorations. After discussion, Brocato made a motion, seconded by Skryd, to refer the matter to Public Works and the Berwyn Development Corporation. The motion carried by a voice vote.
30. The Public Works director submitted a communication regarding Traffic Engineering requesting postponement of discussion until the December 12, 2006 Committee of the Whole meeting. Brocato made a motion, seconded by Erickson, to concur. The motion carried by a voice vote.
31. The Public Works director submitted a communication regarding a Provisional contract for Ice and Snow control in the event of a work stoppage. After discussion, Brocato made a motion, seconded by Erickson, to refer to the Committee of the Whole. The motion was defeated by the following roll call: Yeas: Chapman, Brocato, Lovero, Erickson. Nays: Ramos, Weiner, Skryd, Phelan, O'Connor. Thereafter, Weiner made a motion, seconded by Phelan, to concur and approve as submitted and to authorize the Public Works director to enter into an agreement in the event of a work stoppage. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Phelan, O'Connor. Nays: Chapman, Brocato, Lovero, Erickson.
32. The Public Works director submitted a communication regarding a Change Order for the CDBG Sidewalk Program with the recommendation that the City Council approve a Change Order increasing the contract amount with Suburban Construction by 9,140 S.F., or a total of \$32,995. Thereafter, Brocato made a motion, seconded by Skryd, to concur and approve as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call vote: Yeas: Chapman, Ramos, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Weiner.

33. The Berwyn Police department submitted a Resolution regarding the Cook County Federal Fiscal year 2005, J.A.G. Grant in the amount of \$9,909. Thereafter, Skryd made a motion, seconded by Lovero, to Adopt the Resolution as submitted. The motion carried by a unanimous roll call vote.
34. The City Collector submitted a communication regarding the additional hiring of a part-time employee in the Adjudication Revenue department. After discussion, Lovero made a motion, seconded by Weiner, to concur and waive the hiring freeze. After further discussion, the motion was withdrawn. Thereafter, Lovero made a motion, seconded by Weiner, to concur, waive the hiring freeze and defer the approval for two (2) weeks. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.
35. The Mayor called a Committee of the Whole meeting for Tuesday, December 12, 2006 immediately following the Public Hearing scheduled for 6:00 p.m.
36. Alderman Erickson called an Administration meeting for Monday, December 11, 2006 at 6:30 p.m. for referrals.
37. Alderman Chapman called a Budget committee meeting for Tuesday, December 5, 2006 at 6:30 p.m. for referrals.
38. 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 10:00 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik
City Clerk