

**MICHAEL A. O'CONNOR**  
**MAYOR**

**THOMAS J. PAVLIK**  
**CITY CLERK**

**MINUTES**  
**BERWYN CITY COUNCIL**  
**DECEMBER 12, 2006**

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:12 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson.
2. The Pledge of Allegiance was recited and a moment of silence was called for the armed forces overseas and for the safety of our police and firefighters.
3. The Open Forum portion of the meeting was announced. The Mayor introduced Jessie Carrillo, 3305 Kenilworth who was invited to speak at the Committee of the Whole and the Mayor allowed him to speak in the Open Forum. He gave a presentation on art murals throughout the City and requested 3 walls to be used for these art projects. Proposals and contracts will be provided to the Mayor for consideration. Alderman Ramos announced Boy Scout Troop #60 book drive Saturday, December 16, 2006. The Mayor reported that the Berwyn Banner was mailed out to every household in Berwyn at no cost to the city and reported funds were raised through advertising dollars.
4. The minutes of the Berwyn City Council meeting held November 28, 2006 and Committee of the Whole meetings held November 14<sup>th</sup> and 28<sup>th</sup>, 2006 were submitted. Brocato made a motion, seconded by Skryd, to concur and approve the minutes as presented. The motion carried by a unanimous roll call vote.
5. The Public Works department submitted a communication regarding a special bid opening on Monday, December 18, 2006 at 1:30 p.m. for the 2007 MFT Traffic Signal & Street Light Maintenance. Brocato made a motion, seconded by Ramos, to concur, approve as submitted and accept as informational. The motion carried by a voice vote.
6. The Berwyn Development Corporation submitted a communication regarding the Request for Proposals for the RTA's "Regional Technical Assistance Program's Transit-Oriented Development" and request to open bid proposals. Thereafter, Skryd made a motion, seconded by Weiner, to concur, and to authorize the BDC and corporate authorities and any other

interested parties to proceed to the Conference room to open, tabulate and return same to the City Council chambers for public reading. The motion carried by a voice vote.

7. The Berwyn Development Corporation submitted a communication regarding their recommendation for the top 3 development teams for the Superblock site. Thereafter, Skryd made a motion, seconded by Chapman, to refer to the Committee of the Whole and direct Brian Pabst of the BDC to prepare a presentation on the recommendations. The motion carried by a voice vote.
8. The Mayor submitted a communication regarding the appointment of Frank Simek as Deputy Fire Chief. The Oath of Office was administered by the City Clerk. Thereafter, Skryd made a motion, seconded by Weiner, to concur and approve the appointment. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Brocato, O'Connor. Nays: Chapman, Phelan, Lovero, Erickson.
9. The Mayor submitted a communication regarding the 2006 Proposed Property Tax Levy for the City of Berwyn. Thereafter, Brocato made a motion, seconded by Ramos, to concur with the recommendation of the Mayor at 0% increase. After discussion, the motion was defeated by the following roll call: Yeas: Ramos, Brocato, Phelan, Nays: Chapman, Weiner, Skryd, Lovero, Erickson. Thereafter, Chapman made a motion, to approve a Tax Levy for 0% and add 5% to line items for Bond and Interest, Police Pension, Fire Pension, Hospitalization insurance, and Library and all to be taken from the Corporate line item. After discussion, the motion was withdrawn. Discussion ensued on passing a levy at a 2.5% increase. Thereafter, Lovero made a motion, seconded by Skryd, to approve a property tax levy at 2.5% with hospitalization and library to increase at 5% with the remainder coming from the Corporate Fund. The motion was defeated by the following roll call: Yeas: Chapman, Weiner, Skryd, Lovero. Nays: Ramos, Brocato, Phelan, Erickson, O'Connor. After further discussion, Chapman made a motion, seconded by Weiner, to concur and submit a Tax Levy at 0% with a 5% increase on Hospitalization, Bond and Interest, and Library to be taken from the Corporate Fund. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Lovero, O'Connor. Nays: Skryd, Brocato, Phelan, Erickson.

Thereafter, an ordinance was submitted entitled:

**AN ORDINANCE LEVYING THE TAXES FOR THE GENERAL, CORPORATE, AND SPECIAL PURPOSES FOR THE TAX YEAR 2006 FISCAL YEAR BEGINNING JANUARY 1, 2007 AND ENDING**

**DECEMBER 31, 2007 FOR THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

Lovero made motion, seconded by Weiner, to concur and Adopt the ordinance as amended. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Lovero, Brocato. Nays: Skryd, Phelan, Erickson.

10. The Mayor submitted a communication regarding the Mid Year Adjustments. Thereafter, Chapman made a motion, seconded by Erickson, to accept the matter as informational and to refer to the Budget committee to remove unapproved line items. The motion carried by a unanimous voice vote.
11. The Mayor submitted a communication regarding the pay raises for Non-Union employees. After discussion, Skryd made a motion, seconded by Weiner, to concur and approve as submitted. After further discussion, the motion was withdrawn. Thereafter, Skryd made a motion, seconded by Ramos, to refer the matter to the Committee of the Whole. The motion carried by a unanimous voice vote.
12. The Mayor submitted a communication regarding the National Night Out Award. Skryd made a motion, seconded by Chapman, to withdraw the item. The motion carried by a voice vote, with Phelan voicing a contrary Nay.
13. The Clerk submitted a communication regarding the 2007 schedule of City Council meetings and Holidays. Thereafter, Brocato made a motion, seconded by Skryd, to concur and approve as amended on face. The motion carried by a unanimous roll call vote.
14. Item E-1: The Berwyn Development Corporation returned to the Council Chambers with the proposal tabulations for the RTA's " Regional Technical Assistance program Transit- Orient Development study. Bid amounts were read into the record. Thereafter, Lovero made a motion, seconded by Chapman, to refer to the BDC and to report back to the Council on February 13, 2006. The motion carried by a voice vote.
15. The Clerk submitted a communication regarding the Legal Review of Codified Ordinances. Thereafter, Lovero made a motion, seconded by Skryd, to concur in the recommendation and refer to the Law Department and the Clerk's office for review. The motion carried by a unanimous voice vote.

16. The Zoning Board of Appeals submitted a Resolution and Ordinance pertaining to Suburban Otolaryngology-Dr Kurtzman, 3400 S. Oak Park Avenue. Chapman made a motion, seconded by Ramos, to concur and Adopt the Resolution and Ordinance as submitted. The motion carried by a unanimous roll call vote.
17. A deferred communication from the Fire and Police committee regarding the pay scale for Auxiliary police and others. Thereafter, Chapman made a motion, seconded by Weiner, to refer to the Budget committee and Police Chief. The motion carried by a voice vote.
18. Alderman Skryd submitted a communication regarding Sign ordinance and Special Use of Sandwich Board signs. After discussion, Skryd made a motion, seconded by Weiner, to waive reading and to allow the use of Sandwich Boards for 90 days and require the business owner to register with the Collector and the Law Department for release forms. The motion was defeated by the following roll call: Yeas: Weiner, Skryd. Nays: Chapman, Ramos, Brocato, Phelan, Lovero, Erickson. Thereafter, Skryd made a motion, seconded by Chapman to refer the matter to the Building, Zoning and Planning committee. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero, Erickson. Nays: Phelan.
19. The Budget committee submitted the Payroll for November 29, 2006, in the total amount of \$727,210.87. Thereafter, Chapman made a motion, seconded Skryd, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Phelan, Erickson Aye with the exception of the patronage hires of the Mayor. Nays: none.
20. The Budget committee submitted an amended Payables report in the amount of \$836,900.04 plus the amended amount of \$310,158.70 from the November 28, 2006 Payables in the total amount of \$1,147,058.74 for December 12, 2006. Thereafter, Chapman made a motion, seconded by Ramos, to concur and approve for payment. The motion carried by a unanimous roll call vote.
21. A deferred communication from the City Collector regarding the hiring of an additional part time employee in the Adjudication Revenue department. After discussion, Skryd made a motion, seconded by Weiner, to concur, waive the hiring freeze and approve as submitted. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Lovero. Nays: Phelan, Erickson.

22. The Public Works director submitted a Proclamation recognizing the last Friday in April as Arbor Day in the City of Berwyn. Thereafter, Skryd made a motion, seconded by Chapman, to concur and adopt the Proclamation as presented. The motion carried by a unanimous roll call vote.
23. The Law Department submitted a communication regarding the Waste Management Agreement. Alderman Chapman questioned the contract as it applies to the special events. After discussion, Brocato made a motion, seconded by Chapman, to concur and approve the contract as submitted 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.
24. The Law Department submitted a communication regarding the Automated Traffic Law Enforcement and Administrative Adjudication Ordinance. After discussion, Skryd made a motion, seconded by Chapman, to defer the matter for two (2) and to refer to City Attorney to re draft ordinance. The motion carried by a voice vote.
25. The Law Department submitted a communication regarding the Noise Amendment ordinance addressing Motor Vehicle and Construction Noise with the recommendation that a motion be made ratifying the approval of the revised Noise Ordinance as amended based upon the intent of the May 23, 2006 Council motion. The ordinance entitled:

**ORDINANCE AMENDING THE GENERAL OFFENSES CODE OF THE CITY OF BERWYN REGARDING PROHIBITED NOISES**

Thereafter, Lovero made a motion, seconded by Brocato, to concur and to Adopt the ordinance as amended and to ratify as of May 23, 2006 and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

26. The Law Department submitted a communication regarding Zoning Code amendments; 1258.01, 1258.02, 1260.01,1260.02. After discussion, Skryd made a motion, seconded by Weiner, to establish a moratorium (Degree) on the issuance of Business Licenses for any new Pawn shops for the period of 120 days. The motion carried by a unanimous roll call vote. Thereafter, Skryd made a motion, seconded by Chapman, to refer to the matter to the Building, Zoning and Planning committee to authorize a Public Hearing regarding the Zoning Code amendment request. The motion carried by a unanimous roll call vote.

27. The Building director submitted a communication regarding the 2006 International Codes, chapters #1420, #1426, #1428. Thereafter, Lovero made a motion, seconded by Skryd, to refer to the Law Department. The motion carried by a voice vote.
28. The Building director submitted a communication regarding Temporary advertising Signage for the Voigt Project. After discussion, Skryd made a motion, seconded by Erickson, to concur and grant permission. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Chapman.
29. The Building director submitted a communication requesting permission to advertise for a part time Maintenance man. Lovero made a motion, seconded by Skryd, to concur, waive the hiring freeze and approve the hire of a permanent part time person. The motion carried by a unanimous roll call vote.
30. The Computer Services director submitted a communication regarding the AT&T city Telephone System. Thereafter, Skryd made a motion, seconded by Erickson, to concur and to authorize the corporate authorities to enter into an agreement and affix their signatures thereto. The motion carried by a unanimous roll call vote.
31. The Berwyn Police Department submitted a communication requesting a Handicapped sign for Amelia Smith, 2433 Highland. Skryd made a motion, seconded by Brocato, to concur in the recommendation of the investigating officer and grant permission and refer to the Public Works department to install said sign. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Ramos, Erickson.
32. The Berwyn Police department submitted a communication requesting a Handicapped sign for Dolores A. Martin, 3839 Home Avenue. Thereafter, Chapman made a motion, seconded by Brocato, to defer the matter for two (2) weeks. The motion carried by a voice vote.
33. The Berwyn Police department submitted a communication requesting a Handicapped sign for Janet Walker, 2525 Grove Avenue. Thereafter, Weiner made a motion, seconded by Brocato, to concur in the recommendation of the investigating officer and to deny said sign. The motion carried by a voice vote.
34. The Berwyn Police department submitted a communication requesting a Handicapped sign for Louis Cannella, 1616 East Avenue. Thereafter,

Phelan made a motion, seconded by Brocato, to concur with the recommendation of the investigating officer, grant permission and refer to Public Works for the installation of said sign. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Ramos, Erickson.

35. Novotny and Associates submitted a communication regarding the 2006 MFT Maintenance Sidewalk, Curb, and Gutter Repairs, MFT section No. 06-00000-03-GM, Engineers payment estimate No. 2 to M & A Cement Work, Inc. in the total amount of \$17,406.77. After discussion, Brocato made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Ramos.
36. Novotny and Associates submitted a communication regarding the Berwyn Public Library Parking Lot Improvement, engineer's payment estimate No. 2 To Chicagoland Paving Contractors, Inc. in the total amount of \$110,356.91. Thereafter, Brocato made a motion, seconded by Skryd, to concur and approve for payment. . The motion carried by a unanimous roll call vote.
37. Novotny and Associates submitted a communication regarding the 2006 C.D.B.G. Sidewalk Improvements, C.D.B.G. No 05-003, engineer's payment estimate No. 1 to Suburban Concrete Inc. in the total amount of \$71,222.35. Thereafter, Brocato made a motion, seconded by Erickson, to concur and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: Ramos.
38. Novotny and Associates submitted a communication regarding Ward 4 Speed Hump installations, MFT Section No. 06-00164-00-SP, Engineer's payment estimate No. 1 & Final to Construction Management Corporation of Illinois, Inc. in the total amount of \$22,998.50. Thereafter, Skryd made a motion, seconded by Weiner, to concur and approve for payment. The motion carried by a unanimous roll call vote.
39. The Consent agenda items K-1 and K-2 were presented:  
K-1 Building Director, Building and Local Improvement permits issued for the month of November, 2006  
K-2 Collector-Business Licenses issued for the month of November, 2006.

Thereafter, Ramos made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a voice vote.

40. The Mayor requested approval for a Committee of the Whole meeting for December 19, 2006 at 6:00 p.m. Weiner made a motion, seconded by Ramos, to concur. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero. Nays: Brocato, Erickson. Thereafter, the Mayor called a Committee of the Whole meeting for Wednesday, December 27, 2006 at 6:00 p.m.
41. Alderman Erickson called an Administration committee meeting for Monday, December 18, 2006 at 6:30 p.m. for referrals.
42. Alderman Phelan called a Recreation committee meeting for Monday, December 18, 2006 at 7:30 p. m. for referrals.
43. Alderman Skryd called a Building, Zoning , Planning committee meeting for Wednesday, January 10, 2007 at 7:00 p.m. for referrals.
44. Alderman Chapman called a Budget committee meeting for Monday, December 18, 2006 at 6:00 p.m. for referrals.
45. There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Erickson, to adjourn at the hour of 10:01 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk