



MINUTES
Regular Berwyn City Council Meeting
December 11, 2018 (Approved 12.26.18)

1. The Regular Meeting of the Berwyn City Council was called to order by Mayor Lovero at 8:00 p.m. The following Aldermen responded present upon the call of the roll: Lennon, Ramirez, Reardon, Fejt, Santoy, Ruiz, Avila, and Garcia.
2. The Pledge of Allegiance was recited. A moment of silence was given for the family of Trinidad Rivera, the family of Judge Thomas Tucker, and for the safety of the men and women protecting us on the streets of Berwyn.
3. The Open Forum portion of the meeting was announced. Mr. Paul Morten approached to wish everyone Happy Holidays. Mr. Michael Delonay approached to address the property tax levy and comments made by Alderman Lennon during the Committee of the Whole meeting. Mr. Andy Sotiropoulos, Berwyn Development Corporation (BDC) President, approached to thank the City for a wonderful year and a 35 year successful partnership. Alderman Avila thanked the BDC for their hard work particularly bringing Tony's Finer Foods to Berwyn Plaza as well as the opening of the Xfinity store. Alderman Lennon announced his second annual holiday house decorating contest.
4. Minutes for the Regular Berwyn City Council and Committee of the Whole held on November 27, 2018 were submitted. Thereafter, Avila made a motion, seconded by Fejt, to approve the minutes as submitted and place same on file for audit. The motion carried by a unanimous voice vote.
5. BDC Executive Director Hulseberg submitted a communication regarding the extension of the Roosevelt and Depot Tax Increment Finance Districts (TIFs). Alderman Reardon made the motion, seconded by Garcia, to concur with the BDC's recommendation to extend both TIF Districts by Twelve years and to authorize the BDC to proceed with all steps necessary and proper to accomplish the extension. The motion carried on a unanimous voice vote.
6. BDC Executive Director Hulseberg submitted a communication with an attached Ordinance entitled: **An Ordinance Approving a Cook County Land Bank Authority Land Banking Agreement for the City of Berwyn, County of Cook, State of Illinois.** Avila made a motion, seconded by Ruiz, to concur with the BDC's recommendation and **adopt** the Ordinance as presented, direct the Corporate Authorities to affix the necessary signatures and send it on its way to passage. The motion carried by a unanimous call of the roll.
7. Assistant Fire Chief Hayes submitted a communication requesting permission to issue a Request for Proposal (RFP) for battery powered extraction tools. Alderman Avila made a motion, seconded by Lennon, to concur and grant permission to request the proposal. Alderman Reardon was recognized to ask a question. Fire Chief O'Halloran stepped forward to answer any questions. Additional questions ensued. The motion carried on a majority voice vote with Alderman Reardon voting NAY.
8. City Attorney Bertuca submitted a communication regarding **16 CV 5106** asking for approval of the negotiated settlement of the case for a total of \$115,000.00. Alderman Avila made the motion, seconded by Santoy, to concur with Mr. Bertuca and authorize the settlement for a sum not to exceed \$115,000.00. The motion carried by a unanimous call of the roll.
9. City Attorney Bertuca submitted a communication regarding 17 WC 20341 asking for approval of the negotiated settlement of the case for a total of \$30,745.00. Alderman Avila made the motion, seconded by Ruiz to concur with Mr. Bertuca and authorize the settlement for a sum not to exceed \$30,745.00. The motion carried by a unanimous call of the roll.
10. City Administrator Pabst submitted a communication with attached Ordinance entitled: **An Ordinance Amending Part Ten, Title Eight of the Berwyn Code of Ordinances Regarding the Regulation of and Application for Small Wireless Facilities for the City of Berwyn, County of Cook, State of Illinois.** Mr.

Berwyn City Council Minutes
December 11, 2018

Pabst submitted a revised Ordinance eliminating the “Red-lined” sections and deleted lines contained in the Ordinance submitted for the packet. Alderman Avila made the motion, seconded by Fejt, to concur with Mr. Pabst’s recommendation and **adopt** the amended Ordinance as submitted, direct the Corporate Authorities to affix the necessary signatures, and send it on its way to passage. The motion carried by a unanimous call of the roll.

11. Assistant City Administrator Volbre submitted a communication with an Ordinance entitled: **An Ordinance Requesting that Certain Parcels Within the City of Berwyn be Obtained by the City of Berwyn Through the Cook County No-Cash Bid Program**. Ms. Volbre submitted a revised communication and amended Ordinance, along with a “Red-lined” copy of the prior ordinance asking to make it germane to J-5. The amended Ordinance deleted certain real estate parcels from the Ordinance that subsequently had been determined to not qualify for the program. Those properties now to be included in the Ordinance are: 1220 Gunderson Ave, 7114 W. 16th St., 1928 Elmwood Ave., 2734 Cuyler Ave., and 3632 Kenilworth Ave. Questions and discussion from Council members ensued. Alderman Garcia made the motion, seconded by Lennon, to concur with the recommendation and to **adopt** the revised Ordinance, direct the Corporate Authorities to affix the necessary signatures, and send it on its way to passage. The motion carried on a unanimous call of the roll.
12. Finance Department Director Jones submitted a communication regarding the increase of Home Rule Sales Tax to 1.75% with an Ordinance entitled: **An Ordinance Amending Part Eight, Title Four, Chapter 885, Section 885.01 of the Berwyn Code of Ordinances Regarding Taxation for the City of Berwyn, Cook County, State of Illinois**. Alderman Lennon made the motion, seconded by Santoy, to approve the increase in the City’s Home Rule Sales Tax rate to 1.75%, **adopt** the Ordinance as submitted, direct the Corporate Authorities to affix the necessary signatures, and send it on its way to passage. Alderman Reardon then made a motion to amend the tax rate increase to 1.50%. Mayor Lovero advised that a motion was on the floor and, if it failed, Alderman Reardon could make her amendatory motion. Mayor Lovero then asked for the roll to be called on the motion. The motion carried with Lennon, Fejt, Santoy, Ruiz, and Avila voting AYE. Ramirez, Reardon, and Garcia voted NAY.
13. Finance Department Director Jones submitted a communication recommending approval of the proposed tax levy with an Ordinance entitled: **An Ordinance Levying Taxes for General Corporate and Special Purposes for the Tax Year 2018, Fiscal Year Beginning January 1, 2019 and Ending December 31, 2019 for the City of Berwyn, Cook County, Illinois**. Alderman Santoy made the motion, seconded by Lennon to **adopt the Ordinance** as presented, direct the Corporate Authorities to affix the necessary signatures, and send it on its way to passage. On the call of the roll, the following votes were tabulated: Lennon, Fejt, Santoy, Ruiz, Avila, and Garcia voting AYE. Ramirez and Reardon voting NAY. The motion carried.
14. Public Works Director Schiller submitted a communication requesting permission to award a bid for concrete cutting. Alderman Avila made the motion, seconded by Ruiz, to concur with the recommendation and award the bid to Safety Services and Assessments in the amount of \$12,488.75 with a 7% contingency of \$875.00. Mr. Schiller stepped forward to answer questions. The motion carried by a unanimous call of the roll.
15. Public Works Director Schiller submitted a communication regarding 2018 MFT Street Patching Award. Alderman Lennon made the motion, seconded by Fejt, to concur with the recommendation and award the bid to M & J Asphalt Paving in the amount of \$159,845.00 with a 10% contingency of \$15,984.00. The motion carried by a unanimous call of the roll.
16. Public Works Director Schiller submitted a communication regarding 2018 MFT LED Street Lighting Replacement award of bid. Alderman Fejt made the motion, seconded by Avila to concur in the recommendation and award the bid to H & H Electric for the bid amount of \$190,480.00 plus a 3% contingency in the amount of \$5,715.00. The motion carried by a unanimous call of the roll.

Berwyn City Council Minutes
December 11, 2018

(Clerk's Note: The total amount requested in the communication is \$219,195.00. This is not equal to the bid award of \$190,480.00 plus the 3% contingency of \$5,715.00. Ald. Fejt's motion stated the bid amount and the contingency amount only. Mayor Lovero repeated both amounts recited by Ald. Fejt but then also stated the incorrect total not to be exceeded as written in Dir. Schiller's communication.)

17. Public Works Director Schiller submitted a communication Renewal of Water Supply Agreement with City of Chicago. Alderman Lennon made the motion, seconded by Ruiz, to approve the intergovernmental agreement with the City of Chicago. The motion carried by a unanimous call of the roll.
18. The consent agenda with items K-1 through K-9 was submitted.
 1. Payroll: 11/28/2018 in the amount of \$1,122,512.05: Informational
 2. Payables: 11/29/2018 – 12/12/18 in the amount of \$2,065,849.37: Informational
 3. Handicap Parking Application #1224: Deny
 4. Handicap Parking Application #1234: Deny
 5. Handicap Parking Application #1239: Deny
 6. Handicap Parking Application #1242: Deny
 7. Misericordia "Jelly Belly Candy Days" Friday, April 26, 2019 and Saturday April 27, 2019: Approve
 8. Business Licenses issued through December 6, 2018: Informational
 9. Building and Local Improvement Permits for November, 2018: InformationalThereafter, Avila made the motion, seconded by Lennon, to concur and approve the Consent Agenda as submitted by omnibus vote designation. The motion carried by a voice vote.
19. Aldermanic Committees:
Alderman Ruiz: Public Works, Parking, Trees, Traffic, Streets & Sewers Committee meeting for January 8, 2019 at 5:00 pm. Third Ward Town Hall on December 20, 2018 at Proksa Park Field House 6:30 p.m.
20. There being no further business to come before the Council, Ald. Avila made the motion, seconded by Garcia, to adjourn at the hour of 8:40 pm. The motion carried by a voice vote.

Respectfully submitted,

Margaret Paul, City Clerk