MINUTES
Regular Berwyn City Council Meeting
April 14, 2020

C1 4-28-2020 Approved as Submitted 8-AYE Ø-Nay

Clerk's Note: Governor Pritzker's Executive Order No. 5, section 6 and Order No. 8. Which suspended "in-person attendance" by elected officials and limited the number of persons that could congregate to 10 or less due to the Covid-19 pandemic. The City of Berwyn used best efforts to comply with the Governor's Order and the spirit of the Open Meetings Act. The following measures were taken to provide residents with notice of changes to the Regular Meeting and ability to observe the meeting in progress through a live video stream:

- Notice that the City Council would comply with the Governor's Order was posted on the City's website and the doors of City Hall along with direction on how the public could view the meeting in progress as well as address the Council during Open Forum.
- Notice that the City Council would comply with the Governor's Order was posted on the City's Facebook page along with directions on how the public could view and participate in the meeting.
- City staff live-streamed the meeting on the City of Berwyn Facebook page beginning at 8:00 p.m.

A. Meeting Opening:
Mayor Lovero, present in chambers, called the Regular Meeting of the City Council to Order at 8:00 P.M. Clerk Paul, present in chambers, called the roll. The following Aldermen participated in person: Fejt and Nowak. The following Aldermen participated remotely: Lennon Ramirez, Reardon, Fejt, Santoy, Avila, and Ruiz.
Clerk's Note: City Treasurer Miranda also participated in the meeting remotely.

Mayor Lovero led the Council in the Pledge of Allegiance. He asked for a moment of silence in memory of Ron Stricklin, long time Berwyn City employee, along with prayers for his family, for the continued recovery of Max Kusper, and added the happy announcement that IT Director Jim Frank's wife gave birth to daughter Rosie today.

B. Open Forum: Mayor Lovero acknowledged receipt of e-mails received from Juan Garcia and Kaleena Olivo. The emails were form letters asking for a "moratorium on small cells and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over". Mayor Lovero stated that the e-mails had been answered. A copy of a memo by Adam Simon of the Ancel Glink law firm entitled **5G and Covid-19** was distributed. Clerk Paul reported that she had received an additional email April 10, 2020 from Kristen Stafford using identical language.

C. Approval of Minutes: Ald. Avila asked that the Committee of the Whole Minutes for March 24, 2020 be corrected to show that he participated remotely. Ald. Fejt made a motion, seconded by Ald. Nowak, to approve the Minutes for the Public Hearing of March 24, 2020 and the Minutes of the Regular City Council Meeting of March 24, 2020 as submitted and approve the Committee of the Whole Minutes of March 24, 2020 as corrected. The motion carried by a unanimous voice vote.

Clerk's Note: Mayor Lovero asked that a Roll Call vote be taken on the remainder of the agenda items to allow the public viewing the live stream and those attending in-person opportunity to hear the votes cast by the Aldermen participating remotely.

Ald. Nowak made a motion, seconded by Ald. Fejt, to bring forward items I-1 and I-2. The motion carried by a unanimous roll call vote.

I-1: Police and Fire Commission - Promotion of Brian Cantwell to Sergeant: Ald. Fejt made the motion, seconded by Ald. Nowak, to concur and promote Brian Cantwell to the rank of Berwyn Police Sergeant. The motion carried by a unanimous roll call vote. Clerk Paul administered the Oath of Office.

I-2: Police and Fire Commission - Promotion of Gavin Zarbock to Sergeant: Ald. Nowak made the motion, seconded by Ald. Fejt, to concur and promote Gavin Zarbock to the rank of Berwyn Police Sergeant. The motion carried by a unanimous roll call vote. Clerk Paul administered the Oath of Office.

D. Bid Openings:

D-1: **Roadway Resurfacing Pro**ject: Ald. Ruiz made the motion, seconded by Ald. Fejt, to concur with the Public Works Director Schiller and award the contract to Schroeder Asphalt Services, Inc. as the lowest responsible bidder for the budgeted amount of $420,000.00. The motion carried by a unanimous roll call vote.

D-2: **2020 Motor Fuel Tax Pavement Patching Project**: Ald. Ruiz made the motion, seconded by Ald. Nowak, to concur and award the 2020 Motor Fuel Tax Pavement Patching Project to Schroeder Asphalt Services, Inc. as the lowest responsible bidder for $600,000.00 plus a 10% contingency for unforeseen conditions. The motion carried by a unanimous roll call vote.

E. Berwyn Township, Berwyn Health District, Berwyn Development Corporation:

E1: BDC: Ald. Nowak made the motion, seconded by Ald. Fejt, to **adopt** the Ordinance entitled: **An Ordinance Amending Chapter 1244 (Uses) of Title 4 (Zoning) of Part Twelve (Planning and Zoning) of the Codified Ordinances of Berwyn, By Adding New Section 1244.07 (Special Commercial Uses) Allowing Special Commercial Uses of Certain Properties**, direct the Corporate Authorities to affix the necessary signatures and send it on its way to passage. The motion carried by a unanimous roll call vote.

E2: BDC: Ald. Fejt made the motion, seconded by Ald. Nowak to adopt the Ordinance entitled: An Ordinance **Amending Section 1248.02 (Required Off Street Parking Spaces), Table 1248.02-B (Off-Street Parking Requirements) of Chapter 1248 (Off Street Parking and Loading) in Title 4 (Zoning), Part Twelve (Planning and Zoning) of the Codified Ordinances of Berwyn Relative to the Requirements for Off Street Parking for Medical Offices**, direct the Corporate Authorities to affix the necessary signatures, and send it on its way to passage. The motion carried by a unanimous roll call vote.

E3: BDC: Ald. Nowak made the motion, seconded by Ald. Fejt to **adopt** the Ordinance entitled: **An Ordinance Authorizing the Execution of an Agreement for the Lease of Certain Real Property for the City of Berwyn, State of Illinois,** direct the Corporate Authorities to affix the necessary signatures and send it on its way to passage. The motion carried by a unanimous roll call vote. (Clerk's Note: Property Address - 6839 Roosevelt Road - Following the vote, Mayor Lovero stated that the agreement might not go forward should the City find the property not suited for its intended use.)

E4: BDC: Ald. Fejt made the motion, seconded by Ald. Nowak, to **adopt** the Ordinance entitled: **An Ordinance Amending Ordinance Number 97-13 to Correct Certain Scrivener's Errors for the City of Berwyn, State of** Illinois, direct the Corporate Authorities to affix the necessary signatures and send it on its way to passage.

E5: BDC: Ald. Nowak made the motion, seconded by Ald. Fejt, to **adopt** the Ordinance entitled: **An Ordinance Adopting and Approving the First Amendment to the City of Berwyn Tax Increment Redevelopment Roosevelt Road TIF – Redevelopment Plan and Project in the City of Berwyn, County of Cook, State of Illinois,** direct the Corporate Authorities to affix the necessary signatures and place it on its way to passage. The motion carried by a unanimous roll call vote.

E6: BDC: Ald. Fejt made the motion, seconded by Ald. Nowak, to **adopt** the Ordinance entitled: **An Ordinance Adopting and Approving an Amendment to the City of Berwyn Tax Increment Redevelopment South Berwyn Corridor TIF – Redevelopment Plan and Project in the City of Berwyn, County of Cook, State of Illinois**, direct the Corporate Authorities to affix the necessary signatures and place it on its way to passage. The motion carried by a unanimous roll call vote.

E7: BDC: Ald. Nowak made the motion, seconded by Ald. Avila, to **adopt** the **Resolution** entitled: **A Resolution Authorizing and Approving an Intergovernmental Agreement with Certain Taxing Districts Related to the Harlem Avenue TIF Amendment for the City of Berwyn, County of Cook, State of Illinois,** direct the Corporate Authorities to affix the necessary signatures and place it on its way to passage. The motion carried by a unanimous roll call vote.

F. Reports from the Mayor: Nothing submitted

G. Reports from the Clerk: Ald. Fejt made the motion, seconded by Ald. Nowak, to accept the Clerk's communication as informational. The motion carried by a unanimous roll call vote.

H. Reports from Zoning, Planning, and Development Commission: Nothing submitted.

I. Reports from the Aldermen, Committees and Boards:
I-3: Police and Fire Commission – Appointment of Thomas Schlesinger as Probationary Firefighter-Paramedic: Ald. Nowak made the motion, seconded by Ald. Fejt, to concur and appoint Thomas Schlesinger to the rank of Berwyn Fire Department Probationary Firefighter-Paramedic. The motion carried by a unanimous roll call vote. Clerk Paul will administer the Oath of Office on April 20, 2020.

J. Reports from the Staff:
J-1: Public Works: Ald. Ruiz made the motion, seconded by Ald. Nowak, to concur and authorize the Public Works Department to request proposals for a four-ton trailer mounted asphalt hotbox recycler. The motion carried by a unanimous roll call vote.

J-2-A: Public Works: Ald. Ruiz made the motion, seconded by Ald. Fejt, to **adopt** the Ordinance entitled: **An Ordinance Updating Substantial Construction and Amending Chapter 1042 of the Water and Sewer Connections and Use Code of the Codified Ordinances of the City of Berwyn**, direct the Corporate Authorities to affix the necessary signatures and send it on its way to passage and to also refer the Ordinance to staff for review of necessary language adjustments and corrections to be brought back to Council for further action**.** The motion carried by a unanimous roll call vote.

K. Consent Agenda:
Motion by Ald. Avila, seconded by Ald. Nowak, to approve items K-1 through K-5 as submitted. The motion carried by a unanimous roll call vote.

Aldermanic Committee Meetings: All committee and ward meetings have been temporarily postponed due to the Covid-19 emergency. Mayor Lovero announced that there would be a Public Hearing for Zoning as posted and advertised on April 15, 2020 in City Council Chambers.

Adjournment: Ald. Fejt made the motion, seconded by Ald. Nowak, to adjourn. The motion carried by a unanimous voice vote. The meeting adjourned at the hour of 8:35 p.m.

Respectfully submitted,
Margaret Paul
Margaret Paul, City Clerk