



# **City of Berwyn**

## **City Council Meeting**

**April 26, 2011**

**BERWYN CITY COUNCIL MEETING**  
**APRIL 26, 2011**

DEAR ATTENDEE.....THE MAYOR AND CITY COUNCIL WELCOME YOU. PLEASE KEEP IN MIND THAT THIS IS A MEETING OF THE MAYOR AND COUNCIL MEMBERS AS OPPOSED TO A PUBLIC HEARING WHERE ATTENDEES ARE ENCOURAGED TO PARTICIPATE. UNLESS INVITED BY THE MAYOR TO SPEAK, YOU ARE REQUESTED NOT TO INTERRUPT. IF YOU ARE RECOGNIZED BY THE MAYOR, PLEASE PREFACE YOUR REMARKS BY STATING YOUR NAME AND ADDRESS FOR THE RECORD. THANK YOU.

ROBERT J. LOVERO  
MAYOR

THOMAS J. PAVLIK  
CITY CLERK

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**AGENDA**

ROLL CALL

- (A) PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE
- (B) OPEN FORUM - (TOPIC MUST NOT BE ON THE AGENDA)
- (C) PRESENTATION OF PREVIOUS MEETINGS MINUTES FOR APPROVAL
  - 1. REG 4/12/11-COW-4/12/11
- (D) BID OPENING - TABULATIONS
- (E) BERWYN DEVELOPMENT CORP.-BERWYN TOWNSHIP/HEALTH DISTRICT
  - 1. BDC-ORDINANCE -CONSIDERATION-HARLEM TIF DISTRICT
  - 2. BDC-LAND SWAP AGREEMENT WITH THE NBPd
- (F) REPORTS AND COMMUNICATIONS FROM THE MAYOR
  - 1. PROC.-TEACHER APPRECIATION WEEK-MAY 2-7
  - 2. APPOINTMENT OF PART-TIME ADMINISTRATIVE ASSISTANT
- (G) REPORTS AND COMMUNICATIONS FROM THE CITY CLERK
  - 1. RETIREMENT OF DEPUTY CITY CLERK LOUISE SOMMESE
  - 2. APPOINTMENT OF DEPUTY CITY CLERK
- (H) COMMUNICATIONS FROM ( ZONING) BOARD OF APPEALS
- (I) REPORTS AND COMMUNICATIONS FROM ALDERMEN, COMMITTEES OTHER BOARDS AND COMMISSIONS
  - 1. PAUL-PIPER SCHOOL SPECIAL EVENT-STREET CLOSURE REQUEST
  - 2. BL&TAXATION COMM.-REFERRAL #1-3-3/16/11-HOLIDAY LIGHT ORDINANCE
- (J) STAFF REPORTS
  - 1. DEFER-BPD UNIT COMMANDER-EVIDENCE STORAGE LOCKERS
  - 2. CITY ATTNY-SETTLE CASE #09M1301958
  - 3. CITY ATTNY-ORD AMENDING CHAP 1478-HISTORIC PRESERVATION ORD
  - 4. CITY ADM-INSURANCE RENEWAL
  - 5. FIRE CHIEF-PERMISSION TO CONTACT F&P COMM TO HIRE 2 REPLACEMENT FIREFIGHTERS/PARAMEDICS & HIRE AN ADDITIONAL 12 FIREFIGHTER/PARAMEDICS

6. FIRE CHIEF-PURCHASE OF REPLACEMENT FIRE DEPT VEHICLES
7. FIRE CHIEF/DIR OF HOMELAND SECURITY/CITY ATTNY-CITY OF BERWYN  
COMPREHENSIVE EMERGENCY OPERATION PLAN
8. FIRE CHIEF-RED CROSS HERO AWARD FOR GOLD SHIFT 3<sup>RD</sup> PLATOON  
& LT. J. WOJNAROWSKI & FIREFIGHTER W. GLASER
9. CITY ENGINEER-ROOSEVELT RD TIF ALLEY IMPROVEMENTS
10. CDBG-RESOL AUTHORIZING APPLICATION FOR GRANT OF PRIVATE ACTIVITY  
BOND ALLOCATION

(K) CONSENT AGENDA: ALL ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED IN ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS. IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED AS THE FIRST ITEM AFTER APPROVAL OF THE CONSENT AGENDA

1. BUDGET CHAIR-PAYROLL-4/13/11-\$1,000,010.58
2. BUDGET CHAIR-PAYABLES-4/26/11-\$407,737.75
3. BOYAJIAN-HANDICAP SIGN-M. O'CONNELL-3206 LOMBARD-APPROVE
4. LAURETO-HANDICAP SIGN-A. CIRILO-1217 HOME-APPROVE
5. BLOCK PARTY-2200 GROVE-8/13/11
6. SBEF-KELLY MILLER CIRCUS-9/8/11

ITEMS SUBMITTED ON TIME 25

  
THOMAS J. PAVLIK - CITY CLERK



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- A Pledge of Allegiance-Moment of Silence**
  - B. Open Forum**  
**(Topic Must Not Be on The Agenda)**



**C. Presentation of Previous  
Meeting Minutes for Approval**



**ROBERT J. LOVERO**  
**MAYOR**

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

**MINUTES**  
**BERWYN CITY COUNCIL**  
**APRIL 12, 2011**

1. The regular meeting of the Berwyn City Council was called to order by Mayor Lovero at 8:06.p.m. Upon the call of the roll, the following responded present: Chapman, Boyajian, Paul, Skryd, Santoy, Polashek, Avila, Laureto.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the deceased Helen Jamrisko, wife of deceased retired Police Lieutenant John Jamrisko, and for the men and women in the armed forces and on the streets of Berwyn protecting our safety.
3. The Open Forum portion of the meeting was announced. Alderman Santoy announced that Cuyler Park was chosen by Kaboom to redesign the park for children-Alderman Skryd reminded all of two events "Think Green" at the North Berwyn Park District, Berwyn Gardens Saturday, April 16, 2011 and also a Redistricting meeting in Cicero on Saturday April 16, 2011 at 1:00 p.m. with representatives present-Alderman Chapman reminded all of the Monster Mini Golf Pub Craw on Saturday April 16, 2011 from 12 noon to 6:00 p.m.-Alderman Boyajian announced Berwyn Park District, Earth Day, Clean up on Saturday, April 16, 2011, Heritage School at 9:00 a.m.-Alderman Laureto announced an 8<sup>th</sup> Ward meeting for Thursday, April 28, 2011 at the 16<sup>th</sup> St. Fire Station at 7:00 p.m.
4. The minutes of the regular Berwyn City Council meeting, and the Committee of the Whole, of March 22, 2011 and the Special Committee of the Whole on March 16, 2011 were submitted. Thereafter, Skryd, made a motion, seconded Chapman, to concur and approve as submitted. The motion carried by a voice vote.
5. Skryd made a motion, seconded by Boyajian, to suspend the rules and bring forth item F-1. The motion carried by a voice vote. Item F-1 is a Proclamation from the Mayor honoring businessman, Tom Benson. Thereafter, the Clerk read the Proclamation and the Mayor presented same to Mr. Benson with thanks and appreciation. Thereafter, Avila made a motion, seconded by Skryd, to concur and **adopt** the Proclamation as presented. The motion carried by a voice vote.

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3. The Berwyn Development Corporation submitted a TIF application for Luigi Guttuso, 6716-24 W. Cermak Road. Thereafter, Anthony Griffin of the Berwyn Development Corporation reviewed same. Thereafter, Chapman made a motion, seconded by Polashek, to concur and approve for payment in an amount not to exceed \$60,000. The motion carried by a unanimous roll call vote.
4. The Berwyn Development Corporation submitted a Resolution along with a request for the Route 66 Car Show and to close Ogden Avenue. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and **adopt** the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto and to submit same to IDOT for approval. The motion carried by a unanimous roll call vote.
5. The Berwyn Development Corporation submitted a communication regarding the Chicagoland Great American Mutt Show and requested to hold show and close streets. Thereafter, Paul made a motion, seconded by Skryd, to concur and approve the request and to notify PACE and all city departments regarding same. The motion carried by a unanimous roll call vote.
6. The Administration Committee submitted a report from a meeting held on March 21, 2011 regarding the Department of Information Technology Use and Security Policy and Employee Sign Off Sheet. Thereafter, Skryd made a motion, seconded by Avila, to concur and approve for immediate implementation following review by the Legal Department. The motion carried by a voice vote.
7. The Administration Committee submitted a report from a meeting held on March 21, 2011 regarding Policy against Discrimination and Harassment in the Workplace and Employee Sign Off Sheet. Thereafter, Skryd made a motion, seconded by Polashek, to concur and approve for immediate implementation following review by the Legal Department. The motion carried by a voice vote.
8. The Administration Committee submitted a report from a meeting held on March 21, 2011 regarding the Ethics Policy and Employee Sign Off Sheet. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve for immediate implementation following review by the Legal Department. The motion carried by a voice vote.
9. The Business License and Taxation Committee submitted a report for a meeting held on March 22, 2011 regarding the Small Business Utilization Program with the recommendation that the issue be studied further. Thereafter, Santoy made a motion, seconded by Avila, to accept the matter as informational. The motion carried by a voice vote.



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10. The City Administrator submitted a communication regarding Insurance Renewal. Thereafter, Skryd made a motion, seconded by Boyajian, to concur and approve the renewal of Health Insurance through BlueCross BlueShield, Dental through Aetna, and Life Insurance through Fort Dearborn. The motion carried by a unanimous roll call vote.
11. The City Attorney submitted a communication requesting the settlement of Case No. 2010WC012247 in the amount of \$4,969.26. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve for payment. The motion carried by a unanimous roll call vote.
12. The City Attorney submitted a communication requesting the settlement of Case No. 2010WC012003 in the amount of \$4,969.26. Thereafter, Chapman made a motion, seconded by Boyajian, to concur and approve for payment. The motion carried by a unanimous roll call vote.
13. The City Attorney submitted a communication along with an ordinance entitled:  
**AN ORDINANCE AMENDING CHAPTER 804 BY ADDING SECTION 804.31 OF THE CODIFIED ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, TO ESTABLISH AN OUTDOOR PATIO DINING LICENSE**  
Thereafter, Skryd made a motion, seconded by Avila, to concur and **adopt** the ordinance as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
14. The Finance Director submitted a communication regarding Finance Department Positions. Thereafter, Chapman made a motion, seconded by Skryd, to concur in the request, waive the hiring freeze and post said positions. The motion carried by a unanimous roll call vote.
15. The Finance Director submitted a Resolution regarding the Prudential Stock Sale entitled:  
**A Resolution of the City of Berwyn, Cook County, Illinois establishing an Investor Account with Pruco Securities, LLC**  
Thereafter, Chapman made a motion, seconded by Polashek, to concur and **adopt** the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.
16. The Fire Chief submitted a communication regarding the Fire Pup Program 2011 for the Fire Prevention program for school children kindergarten through 3<sup>rd</sup> grade. Thereafter, Boyajian made a motion, seconded by Avila, to concur and approve as submitted. The motion carried by a unanimous roll call vote.



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20. The Assistant Fire Chief submitted a communication regarding asbestos removal from 6619 16<sup>th</sup> Street and 1539 Clarence and demolition. Thereafter, Polashek made a motion, seconded by Avila, to concur. The motion carried by a voice vote.
21. The Berwyn Main Street submitted a communication requesting permission to display rain barrels along the Cermak Road from April 18, 2011 through August 2, 2011. Thereafter, Dario Solano, Executive Director of Berwyn Main Street reviewed same. Thereafter, Skryd made a motion, seconded by Avila, to concur in the request. The motion carried by a voice vote.
22. The City Administrator submitted a communication regarding the Berwyn Public Library, Elevator replacement Engineering Service Contract. Thereafter, Chapman made a motion, seconded by Polashek, to concur and approve the contract with Engineer Ed Kalina P.E. of Fuhrmann Engineering Inc. to work as the City's project manager for the library elevator modification project. The motion carried by the following roll call: Yeas: Chapman, Boyajian, Paul, Skryd, Polashek, Laureto. Nays: Santoy, Avila.
23. The City Administrator submitted a communication regarding the Berwyn Public Library, Elevator replacement Engineering Service Contract. Thereafter, Chapman made a motion, seconded by Laureto, to concur and grant permission to send out a Request for Proposal (RFP) to retain a design consultant who will prepare the contract documents for library elevator project; and waive the sealed bid process. The motion carried by the following roll call: Yeas: Chapman, Boyajian, Paul, Polashek, Laureto. Nays: Skryd, Santoy, Avila.
24. The Berwyn Police Department, Unit Commander submitted a communication regarding Evidence Storage Lockers construction. Thereafter, Boyajian made a motion, seconded by Polashek, to concur with the recommendation of Clear View Construction for the project. The motion carried by a unanimous roll call vote.
25. The Berwyn Police Department, Unit Commander submitted a communication regarding Blood Drying Chamber, Evidence Processing Room. Thereafter, Polashek made a motion, seconded by Avila, to concur with the recommendation of Air Clean Systems for the project. The motion carried by a unanimous roll call vote.
26. The Berwyn Police Department, Unit Commander submitted a communication regarding Evidence Storage Lockers Companies. Thereafter, Boyajian made a motion, seconded by Skryd, to defer the matter for 2 weeks. The motion carried by a voice vote.

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27. Consent Agenda, K-1 through K-10 were submitted:  
K-1-Budget Chair, payroll for March 30, 2011, \$916,776.24  
K-2-Budget Chair, payables for April 12, 2011, \$\$2,318,118.28  
K-3-Polashek, handicap sign, C. Pillet, 1617 Scoville, Approve  
K-4-Polashek, handicap sign, C. Brown, 1832 Clarence, Approve  
K-5-Avila, handicap sign, J. Malecek, 2118 Clinton, Approve  
K-6-Laureto, handicap sign, R. Chirko, 1437 Clarence, Approve  
K-7-Licensing & Collections, business licenses issued March, 2011  
K-8-Building Director, building permits issued in March, 2011  
K-9-Salvation Army, Donut Days, June 3<sup>rd</sup> and 4<sup>th</sup>, 2011, Red Kettle Campaign  
November 18, 2011 through December 24, 2011.  
K-10-American Cancer Society, Tag Days, April 16, 23, May 7, 14, and June 18, 2011  
Thereafter, Avila made a motion, seconded by Polashek, to concur and approve by Omnibus Vote Designation. The motion carried by a voice vote.
28. Alderman Boyajian announced a Ad Hoc on Hazardous Waste meeting, as previously called, for Wednesday, April 13, 2011 at 5:30 p.m.
29. Alderman Skryd requested to reschedule the previously called Administration Committee meeting to Monday, April 25, 2011 at 6:00 p.m.
30. Alderman Laureto called for a Building, Zoning, and Planning Committee meeting for Monday, April 25, 2011 at 5:30 p.m.
31. There being no further business to come before the meeting, same was, after a motion by Laureto, seconded by Avila, to adjourn at the hour of 8:44 p.m. The motion carried by a voice vote.

Respectfully submitted,



Thomas J. Pavlik, CMC  
City Clerk

COMMITTEE OF THE WHOLE  
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1. The Committee of the Whole was called to order by Mayor Lovero at 6:00 p.m. Upon the call of the roll, the following responded present: Boyajian, Paul, Skryd, Santoy, Polashek, Avila, Laureto. Absent: Chapman. Thereafter, Avila made a motion, seconded by Skryd, to excuse Alderman Chapman. The motion carried by a voice vote.

2. **2011 Integrated Marketing Campaign**-The Mayor recognized Anthony Griffin of the Berwyn Development Corporation who stated that design work has been completed along with random survey and recommendation for the 2011 marketing campaign. Amy Crowther of the BDC presented a slide show presentation stating that this is the 5<sup>th</sup> year of the Integrated marketing campaign and went over the billboards from year 2007 through 2010

**Billboard Campaigns:**

- 2007-1<sup>st</sup> year was focused on the convenient location of Berwyn, developed the Bulls Eye graphic, campaign tagged on Berwyn "At the center of life in Chicago"
- 2008 billboard focused on convenience, main tag focused on "Living In Berwyn makes life easier". Beside large billboards, 80 Junior size billboards were also used to flood market throughout areas in Chicago
- 2009-Convenient location + "Up & Coming" campaign-main tag "Berwyn Chicago's Best-Kept Secret"
- 2010-Dual message campaign: "Rise & Shine in Berwyn" and "Berwyn, the Perfect Spot is just Around the Corner"
- 2011-Billboard campaign-Evaluating Success of Campaigns-60% increase in favorable perception of Berwyn over the course of the campaign. The campaign showed positive perceptions about Berwyn's convenient location, its good dollar value, the quality of its homes, and attractiveness as a destination.

Chapman present at 6:10 p.m.

- Questions on numbers who responded to survey and locations, with 71% responded to marketing survey, appeared favorable
- 2011 campaign is still focusing on Berwyn as Opportunities and selling convenience and potential for growth.
- 4 different designs for the Year 2011:
  - 1. Berwyn Rising
  - 2. Opportunity Knocks
  - 3. Time to Try Berwyn
  - 4. Discover Why

2011 Berwyn Billboards were scored as follows:

- Scored each ad individually, according to multiple measures

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- Scored the ads compared to each other, according to multiple measures.
- Scored the ads against each other based on weighted ranking.
- Calculated a final score for each ad.

Ms. Crowther stated that all were based on raw numbers and not percents, but all numbers are close. All scores were based on:

- Individual Score
- Comparative Score
- Rank Score
- Total Score

Based on figures "Berwyn Rising" and "Berwyn Discover Why" were leaders to focus on with figures showing that "Berwyn Rising" came out with the leading ranking score overall. Based on Market research, the recommendation was to go with the "Berwyn Rising"

Question were taken from Alderman:

- Santoy-Where were signs placed and questioned if signs possibly could be place on CTA and possible be paid for with assisted program through the CTA.
- Skryd questioned if we have any junior board this year? A) No, not this year, we are just focusing on larger boards because of budget restraints, and because junior billboard were not always in good location.
- Paul questioned if committee considered other ad campaign other than Bull's Eye. Ms. Crowthers stated that 5 years would be the likely time frame for the same campaign logo and that billboards are only limited to the summer months.
- Paul voiced concerns regarding billboards appearing in the same areas. Griffin stated that committee did not target neighborhoods, but prime real estate areas with the most traffic, but will review in the future based on consumer research.

Consensus from aldermen on 2011 Billboard choice:

Chapman-"Opportunity Knocks", but will accept "Berwyn Rising"

Boyajian, Paul, Skryd, Santoy, Polashek, Avila, and Laureto-"Berwyn Rising".

Griffin stated that the next phase would be to go into production, secure the real estate in late May with selected locations and when secured will advise Council.

3. **Berwyn Health Insurance-Item J-1**-The Mayor recognized Vincent Bertuca insurance broker for health insurance, who issued packets to aldermen for review prior to this meeting. Mr. Bertuca advised all that in February we started out with a 14.32% renewal expectation from Blue Cross/Blue Shield of Illinois. Mr. Bertuca than introduced individuals from BlueCross BlueShield and from Fort Dearborn Life Insurance.

Bertuca reviewed 2011 Renewal Rate Cost Summary

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- BC/BS-Health, and Vision -4.6% reduction in original renewal cost with a savings of approximately \$267,000.
- Aetna Dental-7.5% reduction from original rate of 16.2% with a cost saving of approximately \$25,000.
- Fort Dearborn Term Life & AD&D- A contract was negotiated with Fort Dearborn with an additional voluntary life Insurance policy added giving the City of Berwyn some of the lowest rates at .04 cents per 1000, with no participation level, with letters to be sent out via payroll checks informing employees of availability of insurance with information on cost per age group. A bonus to this offer is that there is no exception to pre existing conditions, with would get a guaranteed \$100,000 of life Insurance at the rates provided, and would only be offered at open enrollment

Questions from Aldermen:

Avila-Is the Health Insurance cost within our budget.

Recommend going with BC/BS for Health, with Dental from Aetna with a volunteer Life Insurance through Fort Dearborn offered to employees

- The Mayor questioned if the policy is being changed. Bertuca stated that we are adding a domestic partners provision to the policy with certain affidavits involved which will be provide and directed Council to amend the policy with no extra cost to the City, with Information provided by the Benefits Coordinator.

Bertuca excused 6:35 p.m.

4. **Agenda Items-J-10 & J-11-Berwyn Public Library Elevators-** The Mayor requested that two motions be made. The Mayor than recognized Mr. Kalina, Project Manager who stated that a State grant was awarded for \$160,000 for full modification for the two Berwyn Public Library elevators. Mr. Kalina went on to explain that the elevators are approximately 35 years old and made recommendation for the existing system and presented State codes and explained how vital this grant in modifying these elevators. Mr. Kalina explained that two contractors were out estimating the cost of the project, one at \$170,000 and the other at \$175,000. Question was asked on the timeline of the project. Mr. Kalina stated that contractors are estimating for each elevator at two months each, bidding process, 2 month, and architect , 2 months, and advise proceeding as soon as possible so as not to lose grant monies. The Mayor stated that the first motion would be to approve the Project Manager and the second motion would be to retain a design consultant who would prepare contract documents, and to waive sealed bid process. Mr. Kalina stated that two firms were invited that have worked for the City in the past, Inter Plan and Architects Plus and both have received



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satisfactory or better reviews after work performed and firms are eager to work on this project.

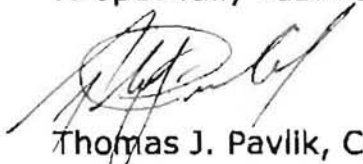
Question was posed on only inviting two as opposed to opening up to other firms. Mr. Kalina stated that these two firms have worked for the City in the past and therefore eliminate request for qualifications process which would save the City two months on scheduling, therefore, Invitation was only extended to these two firms. Question was asked on expiration date on the grant. Mr. Kalina stated that December 31, 2011, but if progress is shown, an extension is possible. Concerns on only two firms invited were voiced by Aldermen Avila and Santoy.

It was suggested to either vote on 1<sup>st</sup> motion and defer 2<sup>nd</sup> motion until Kalina could check with Springfield on possible extension of grant if RFP's would go public.

Alderman Chapman stated that she spoke extensively with Mr. Pabst and felt that she expressed approval in moving forward with two companies recommended.

5. The Mayor asked for a motion to go into closed for pending litigation, land acquisition, and real estate. Thereafter, Skryd made a motion, seconded by Polashek to close the Committee of the Whole at 6:55 p.m. The motion carried by a voice vote.
6. Polashek made a motion, seconded by Santoy, to reopen the Committee of the Whole at 7:56 p.m. The motion carried by a voice vote.
7. Polashek made a motion, seconded by Santoy, to adjourn the Committee of the Whole at 7:56 p.m. The motion carried by a voice vote.

Respectfully submitted,



Thomas J. Pavlik, City Clerk

By Louise Sommese, Deputy Clerk



## **D. Bid Openings Tabulations**





**E. Berwyn Development Corp. –  
Berwyn Township/Health District**



April 20, 2011

**MEMORANDUM**

**To: *City of Berwyn Mayor Robert Lovero and the City Council***

**Re: *Ordinance for City Council Consideration for Harlem TIF District***

The purposes of the attached ordinance are:

- to set a date and time for a Public Hearing to allow public comment on the creation of the Harlem TIF District;
- to notify all affected taxing jurisdictions and the Illinois Department of Commerce and Economic Opportunity concerning the City's intent to create the District;
- to schedule a meeting of the Joint Review Board to allow affected taxing jurisdictions the opportunity to comment on the draft Redevelopment Plan and Project for the District;
- to notify all residents within 750 feet of the proposed District's boundaries about the City's intent to create the District.

Please note that the purposes listed above enable the City to comply with Illinois state statute regarding the creation of tax increment financing district in the state.

Please contact me for additional information or concerns.

Sincerely,

Tim Angell, AICP  
Senior Project Manager

CC: Mayor Robert J. Lovero  
Brian Pabst – City Administrator  
Paul Zimmermann – BDC President  
Tony Griffin – BDC Executive Director

**ORDINANCE 11-\_\_\_\_**

**AN ORDINANCE PROPOSING A REDEVELOPMENT PLAN AND PROJECT FOR,  
AND THE DESIGNATION OF, THE HARLEM TAX INCREMENT FINANCING  
REDEVELOPMENT PROJECT AREA AND THE ADOPTION OF TAX INCREMENT  
FINANCING THEREFORE, CONVENING A JOINT REVIEW BOARD AND CALLING  
A PUBLIC HEARING IN CONNECTION THEREWITH.**

**WHEREAS**, the City of Berwyn (the “City”) is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970, and as a home rule unit of local government the City may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, pursuant to the Tax Increment Allocation Redevelopment Act, as amended, (65 ILCS 5/11-74.4-1, *et seq.*) (the “Act”), the City is authorized to approve a redevelopment plan for and to designate a redevelopment project area and adopt tax increment financing therefore, and;

**WHEREAS**, the Mayor and the City Council (collectively, the “Corporate Authorities”) have heretofore caused a study to be conducted to determine the conditions in that part of the City legally described as set forth on Exhibit A hereto and generally described as real property located in the Cermak Road and Harlem Avenue corridors of the City, which consists of parcels in the vicinity of Cermak Road, between Harlem Avenue and Wesley Avenue, and in the vicinity of Harlem Avenue, between Cermak Road and 30<sup>th</sup> Street (the “Property”); and

**WHEREAS**, the Corporate Authorities have determined that the Property would qualify as a “Redevelopment Project Area” as defined in the Act and that said Property on the whole has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the adoption of a redevelopment plan and the use of tax increment financing as provided in the Act; and

**WHEREAS**, the Corporate Authorities have heretofore and it hereby is determined that it is advisable that the City afford itself of the provisions of the Act and by ordinance approve a redevelopment plan (“Redevelopment Plan”) and a redevelopment project (“Project”) and designate said Property as legally described in Exhibit A as a redevelopment project area to be known as the “Harlem Tax Increment Financing Redevelopment Project Area” (“Redevelopment Project Area”), and also that the City by ordinance adopt tax increment financing in order to pay all or a portion of the eligible redevelopment project costs for the Project in the Redevelopment Project Area, as provided in the Act; and

**WHEREAS**, the Act requires the City to conduct a public hearing prior to the adoption of ordinances approving the Redevelopment Plan and Project, designating the Redevelopment Project Area, and adopting tax increment financing, at which hearing any interested person or affected taxing district may file with the City Clerk written objections to and may be heard orally with respect to the proposed approval of the Redevelopment Plan and Project, designation of the Redevelopment Project Area, and adoption of tax increment financing therefore; and

**WHEREAS**, the Act further requires that prior to holding a public hearing, the City shall convene a joint review board (the “Board”) consisting of a representative selected by each community college district; local elementary school district and high school district or each local community unit school district; park district; library district; township; fire protection district; and county that has or will have the authority to directly levy taxes on the Property within the proposed Redevelopment Project Area at the time that the proposed Redevelopment Project Area is approved, a representative selected by the City, and a public member selected in accordance with the Act, to consider the subject matter of the public hearing; and

**WHEREAS**, the TIF Act further requires that the time and place of such public hearing be fixed by ordinance or resolution adopted by the Corporate Authorities; and

**WHEREAS**, the TIF Act further requires that not less than ten (10) days prior to adopting such ordinance or resolution fixing the time and place of a public hearing, the City must make available for public inspection a redevelopment plan or a separate report that provides in reasonable detail the basis for the proposed Redevelopment Project Area's qualifying as a "redevelopment project area" under the Act; and

**WHEREAS**, the firm of Kane, McKenna & Associates, Inc., has conducted an eligibility report of the proposed Redevelopment Project Area and has prepared its report (the "Report") that said proposed area qualifies as a "redevelopment project area" as defined in the Act, which survey and findings have been presented to the Corporate Authorities and are now on file in the official files and records of the City; and

**WHEREAS**, the Report and Redevelopment Plan has heretofore been on file and available for public inspection for at least ten (10) days in the offices of the City Clerk as required under the TIF Act; and

**WHEREAS**, the Act requires that notice of the public hearing be given by publication and mailing; and

**WHEREAS**, the Act requires that the City shall provide notice of the availability of the Redevelopment Plan and eligibility report, including how to obtain such information, by mail within a reasonable time after the adoption of this Ordinance, to all residential addresses that, after a good faith effort, the City determines are located within 750 feet of the boundaries of the proposed Redevelopment Project Area; and

**WHEREAS**, the Act also requires the City to provide notice to those organizations and residents that have registered with the City for that information in accordance with the registration guidelines by the City under Section 11-74.4-4.2 of the Act; and

**WHEREAS**, implementation of the Redevelopment Plan may result in the displacement of residents from ten (10) or more inhabited residential units and the Redevelopment Project Area will include seventy-five (75) or more inhabited residential units; and

**WHEREAS**, in accordance with the provisions of the Act, the Corporate Authorities have heretofore determined and do hereby determine that it is advisable and in the best interests of the City and its residents to hold a public hearing and convene the Board to consider the proposed Redevelopment Plan and Project.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the City Council of the City of Berwyn, Cook County, Illinois, as follows:

**Section 1.** That the foregoing recitals to this Ordinance are full, true and correct and adopted as findings of the Corporate Authorities and are incorporated herein by specific reference.

**Section 2.** The approval of the Redevelopment Plan and Project, the designation of the Redevelopment Project Area, and the adoption of tax increment financing therefore are hereby proposed.

**Section 3.** A public hearing shall be held by the President and Board of Trustees of the City of Berwyn, at 5:00 p.m. on the 28th day of June, 2011, at the Berwyn City Hall, 6700 W. 26<sup>th</sup> Street, Berwyn, Illinois 60402, for the purpose of hearing from any interested persons or affected taxing districts regarding the proposed approval of the Redevelopment Plan and Project, designation of the Redevelopment Project Area, and adoption of tax increment financing therefore.

**Section 4.** Notice of public hearing, substantially in the form attached hereto as Exhibit B, shall be published at least twice, the publications to be not more than thirty (30) nor



less than ten (10) days prior to the public hearing, in a newspaper of general circulation within the taxing districts having property in the Redevelopment Project Area. In addition, notice shall be mailed by certified mail not less than ten (10) days prior to the date set for the public hearing, addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Redevelopment Project Area. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property. Each mailed notice shall include a summary or a copy of the proposed Redevelopment Plan.

**Section 5.** Notice shall also be given by certified mail to all taxing districts of which taxable property is included in the Redevelopment Project Area or the Redevelopment Plan and Project, as proposed, and to the Illinois Department of Commerce and Economic Opportunity not less than forty-five (45) days prior to the public hearing, and such notice shall also include an invitation to each taxing district and the Illinois Department of Commerce and Economic Opportunity to submit written comments prior to the date of the public hearing to the City, to the attention of the City Clerk, 6700 26<sup>th</sup> Street, Berwyn Illinois 60402, concerning the subject matter of the public hearing. Each such mailed notice shall include a copy of the proposed Redevelopment Plan and Project, the Eligibility Report, and the name of a person to contact for further information.

**Section 6.** Notice of availability of the Redevelopment Plan and eligibility report, including how to obtain information, shall also be given by mail within a reasonable time after the adoption of this Ordinance to all residential addresses that, after a good faith effort, the City determines are located within 750 feet of the boundaries of the Redevelopment Project Area. The City Council hereby authorizes the City Attorney, Kane, McKenna and Associates, Inc., the

Berwyn Development Corporation and/or designees of the same to take all acts necessary to provide any and all notices required pursuant to the Act.

**Section 7.** Since January 21, 2011, a draft of the Redevelopment Plan and Project and Eligibility Report has been on file in the Office of the City Clerk at the Berwyn City Hall, 6700 26<sup>th</sup> Street, Berwyn, Illinois 60402, and since has been available for public inspection.

**Section 8.** The Board, as set forth in the Act, is hereby convened and the Board shall meet, review such documents, and issue such report as set forth in the Act. The first meeting of the Board shall be held at 10:00 a.m. on the 17th day of May, 2011, at the City Hall, 2<sup>nd</sup> Floor Conference Room, 6700 26<sup>th</sup> Street, Berwyn, Illinois 60402, which will be at least fourteen (14) days but not more than twenty-eight (28) days after the mailing of notice by the City to the taxing districts as required by the Act. The public member shall be selected as provided for in the Act and the Board's chairperson shall be selected by a majority of the Board members present and voting.

**Section 9.** The Board shall act in accordance with the Act.

**Section 10.** That if any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

**Section 11.** That all ordinances, resolutions, motions or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict.

**Section 12.** A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the City as provided by the Illinois Municipal Code, as amended. That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2011.

AYES \_\_\_\_ NAYS \_\_\_\_ ABSENT \_\_\_\_

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
CITY CLERK

## EXHIBIT A

### Proposed Harlem Avenue TIF District - Legal Description

#### LEGAL DESCRIPTION:

THAT PART OF SECTIONS 19 AND 30, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 30;  
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 30 TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 17 FEET OF LOT 28 IN BLOCK 9 OF KIRCHMAN AND JEDLAM'S WESTERN AGENCY AND LOAN CORPORATION SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SAID SECTION 30;  
THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND NORTH LINE AND THE EASTERLY EXTENSION THEREOF TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH ALLEY IN SAID BLOCK 9;  
THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 30<sup>TH</sup> STREET;  
THENCE NORTHERLY ALONG A STRAIGHT LINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID 30<sup>TH</sup> STREET AND THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH ALLEY IN BLOCK 5 OF SAID KIRCHMAN AND JEDLAM'S WESTERN AGENCY AND LOAN CORPORATION SUBDIVISION;  
THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 29<sup>TH</sup> STREET;  
THENCE NORTHERLY ALONG A STRAIGHT LINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID 29<sup>TH</sup> STREET AND THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH ALLEY IN BLOCK 4 OF SAID KIRCHMAN AND JEDLAM'S WESTERN AGENCY AND LOAN CORPORATION SUBDIVISION;  
THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH AND NORTHEASTERLY-SOUTHWESTERLY ALLEY IN KOMAREK'S RIVERSIDE DRIVE SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHWEST QUARTER OF SECTION 30, TO AN ANGLE POINT IN SAID NORTH-SOUTH AND NORTHEASTERLY-SOUTHWESTERLY ALLEY;  
THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID ALLEY TO A POINT ON THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOT 8 IN SAID KOMAREK'S RIVERSIDE DRIVE SUBDIVISION;  
THENCE NORTHWESTERLY ALONG SAID SOUTHEASTERLY EXTENSION AND SOUTHWESTERLY LINE AND NORTHWESTERLY EXTENSION THEREOF TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF RIVERSIDE DRIVE;  
THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND NORTHEASTERLY EXTENSION THEREOF TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE ILLINOIS CENTRAL RAILROAD;  
THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE TO A POINT ON THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE NORTHEASTERLY-SOUTHWESTERLY ALLEY IN RIVERSIDE PARK SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHWEST QUARTER OF SECTION 30;  
THENCE NORTHEASTERLY ALONG SAID SOUTHWESTERLY EXTENSION AND SOUTHEASTERLY RIGHT-OF-WAY LINE TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE HARLEM AND 26<sup>TH</sup> STREET SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHWEST QUARTER OF SECTION 30;  
THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND SOUTH LINE TO THE SOUTHWEST CORNER OF LOT 5 IN SAID HARLEM AND 26<sup>TH</sup> STREET SUBDIVISION;  
THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 5 AND THE NORTHERLY EXTENSION THEREOF TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 30;  
THENCE EASTERLY ALONG SAID NORTH LINE TO A POINT ON THE CENTERLINE OF RIVERSIDE DRIVE;

THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 30;

THENCE NORTHERLY ALONG SAID EAST LINE TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOTS 23 AND 126 IN THE 22<sup>ND</sup> STREET LAND ASSOCIATION SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHWEST QUARTER OF SECTION 30;

THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND SOUTH RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CLINTON AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOTS 127 AND 197 IN SAID 22<sup>ND</sup> STREET LAND ASSOCIATION SUBDIVISION;

THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF KENILWORTH AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOTS 99 AND 52 IN OAK PARK AVENUE AND 22<sup>ND</sup> STREET SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHWEST QUARTER OF SECTION 30;

THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE CENTER LINE OF GROVE AVENUE;

THENCE SOUTHERLY ALONG SAID CENTER LINE TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH HALF OF LOT 50 IN SAID OAK PARK AVENUE AND 22<sup>ND</sup> STREET SUBDIVISION;

THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND SOUTH LINE TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH ALLEY LYING EAST OF AND ADJOINING SAID LOT 50;

THENCE SOUTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 22 IN SAID OAK PARK AVENUE AND 22<sup>ND</sup> STREET SUBDIVISION;

THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND SOUTH LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30;

THENCE SOUTHERLY ALONG SAID WEST LINE TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 23 IN BLOCK 1 IN KLIMA'S SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHEAST QUARTER OF SECTION 30;

THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND NORTH LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE NORTHEASTERLY-SOUTHWESTERLY ALLEY IN SAID BLOCK 1;

THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY IN SAID BLOCK 1;

THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE CENTER LINE OF WESLEY AVENUE;

THENCE NORTHERLY ALONG SAID CENTER LINE TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "G" IN BERWYN MANOR SUBDIVISION;

BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SAID SECTION 19;

THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EUCLID AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "H" IN SAID BERWYN MANOR SUBDIVISION;

THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF OAK PARK AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "A" IN BERWYN GARDEN'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SAID SECTION 19;

THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF GROVE AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "B" IN SAID BERWYN GARDEN'S SUBDIVISION;



THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF KENILWORTH AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "C" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CLINTON AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "D" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HOME AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "E" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WENONAH AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "F" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WISCONSIN AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "G" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MAPLE AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "H" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 19;  
THENCE SOUTHERLY ALONG SAID WEST LINE TO THE POINT OF BEGINNING.  
EXCEPTING THEREFROM, LOTS 295, 296, 351, 352 AND 353 IN SAID BERWYN GARDENS SUBDIVISION;

ALSO EXCEPTING,

THAT PART OF LOT 1 IN THE CIRCUIT COURT PARTITION OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 30, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF CERMAK ROAD AND WITH THE WEST RIGHT-OF-WAY LINE OF HOME AVENUE;

THENCE NORTH 89 DEGREES 37 MINUTES 40 SECONDS WEST ON AN ASSUMED BEARING ALONG SAID SOUTH RIGHT-OF-WAY LINE 286.00 FEET;

THENCE SOUTH 00 DEGREES 22 MINUTES WEST, A DISTANCE OF 5.0 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE;

THENCE NORTH 89 DEGREES, 37 MINUTES 40 SECONDS WEST, 321.70 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE;

THENCE SOUTH 00 DEGREES 22 MINUTES 20 SECONDS WEST, 61.50 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00 DEGREES 22 MINUTES 20 SECONDS WEST, 161.00 FEET;

THENCE NORTH 89 DEGREES 37 MINUTES 40 SECONDS WEST, 160.00 FEET;

THENCE NORTH 00 DEGREES 22 MINUTES 20 SECONDS EAST, 161.00 FEET;

THENCE SOUTH 89 DEGREES 37 MINUTES 40 SECONDS EAST, 160.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING,

THAT PART OF SAID LOT 1 IN THE CIRCUIT COURT PARTITION OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 30, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER;

THENCE SOUTH 89 DEGREES 38 MINUTES 08 SECONDS EAST, 243.02 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER;

THENCE SOUTH 00 DEGREES 21 MINUTES 52 SECONDS WEST, 65.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF CERMAK ROAD, (DEDICATED AS PER DOCUMENT NO. 19198042, RECORDED JULY 28, 1964) SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 14 MINUTES 16 SECONDS EAST, 91.26 FEET;



THENCE SOUTH 61 DEGREES 14 MINUTES 31 SECONDS WEST, 67.86 FEET;  
THENCE SOUTH 89 DEGREES 30 MINUTES 06 SECONDS WEST, 59.37 FEET;  
THENCE SOUTH 57 DEGREES 39 MINUTES 48 SECONDS WEST, 87.41 FEET TO A POINT ON THE  
EAST RIGHT-OF-WAY LINE OF HARLEM AVENUE;  
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 107.00 FEET ALONG SAID EAST  
RIGHT-OF-WAY LINE TO A 65.00 FEET RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE  
NORTHEASTERLY ALONG SAID CURVE 102.51 FEET (THE CHORD BEARS NORTH 45 DEGREES  
10 MINUTES 56 SECONDS EAST TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF CERMAK  
ROAD;  
THENCE SOUTH 89 DEGREES 38 MINUTES 08 SECONDS EAST, 127.19 FEET ALONG SAID SOUTH  
RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

**EXHIBIT B**  
**Notice of Public Hearing**

**HARLEM TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA**

**CITY OF BERWYN, COOK COUNTY, ILLINOIS**

Notice is hereby given that on June 28, 2011 at 5:00 p.m. at the Berwyn City Hall, 6700 W. 26<sup>th</sup> Street, Berwyn, Illinois 60402, a public hearing will be held to consider the approval of a redevelopment plan ("Redevelopment Plan") and project ("Project") for the designation of a redevelopment project area ("Redevelopment Project Area") to be known as the "Harlem Tax Increment Financing Redevelopment Project Area" and the adoption of tax increment financing therefore. The Redevelopment Project Area consists of the territory legally described in Exhibit I, attached hereto and made a part hereof.

The Redevelopment Project Area is generally described as real property located in the Cermak Road and Harlem Avenue corridors of the City, which consists of parcels in the vicinity of Cermak Road, between Harlem Avenue and Wesley Avenue, and in the vicinity of Harlem Avenue, between Cermak Road and 30<sup>th</sup> Street.

There will be considered at the public hearing the Redevelopment Plan and Project for the Redevelopment Project Area. The Redevelopment Plan as proposed is on file and available for public inspection at the office of the City Clerk, 6700 W. 26<sup>th</sup> Street, Berwyn, Illinois 60402. The proposed Redevelopment Plan and Project includes the acquisition and conveyance of land in the Redevelopment Project Area, demolition, clearance and related site preparation activities, the construction, acquisition and installation of certain public works and improvements, if any, including, but not limited to, streets, storm sewers, water mains, sanitary sewers, traffic signalization, curbs, gutters, landscaping and parking facilities and related costs and expenses, all as provided in the Tax Increment Allocation Redevelopment Act, as supplemented and amended.

Prior to the date of the public hearing, each taxing district having property in the Redevelopment Project Area and the Illinois Department of Commerce and Economic Opportunity may submit written comments to the City, to the attention of the City Clerk, 6700 W. 26<sup>th</sup> Street, Berwyn, Illinois 60402.

There is hereby convened a joint review board to consider the proposed approval of the Redevelopment Plan and Project designation of the Redevelopment Project Area and adoption of tax increment financing therefore. The joint review board shall consist of a representative selected by each community college district; local elementary school district and high school district or each local community unit school district; park district; library district; township; fire protection district; and county that has authority to directly levy taxes on the property within the Redevelopment Project Area; a representative selected by the City; and a public member selected in accordance with the Act. The

first meeting of said joint review board shall be held at 10:00 a.m. on the 17th day of May, 2011, at the Berwyn City Hall, 2<sup>nd</sup> Floor Conference Room, 6700 W. 26<sup>th</sup> Street, Berwyn, Illinois 60402.

At the public hearing, all interested persons or affected taxing districts may file written objections with the City Clerk and may be heard orally with respect to any issues regarding the approval of the Redevelopment Plan and Project, the designation of the Redevelopment Project Area, and the adoption of tax increment financing therefore. The hearing may be adjourned by the Mayor and City Council without further notice other than a motion to be entered upon the minutes of the hearing fixing the time and place of the subsequent hearing.

Thomas Pavlik  
City Clerk  
City of Berwyn

**EXHIBIT "I" (to EXHIBIT "B")**  
**PROPOSED HARLEM AVENUE REDEVELOPMENT PROJECT AREA**

LEGAL DESCRIPTION:

THAT PART OF SECTIONS 19 AND 30, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 30;  
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 30 TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 17 FEET OF LOT 28 IN BLOCK 9 OF KIRCHMAN AND JEDLAM'S WESTERN AGENCY AND LOAN CORPORATION SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SAID SECTION 30;  
THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND NORTH LINE AND THE EASTERLY EXTENSION THEREOF TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH ALLEY IN SAID BLOCK 9;  
THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 30<sup>TH</sup> STREET;  
THENCE NORTHERLY ALONG A STRAIGHT LINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID 30<sup>TH</sup> STREET AND THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH ALLEY IN BLOCK 5 OF SAID KIRCHMAN AND JEDLAM'S WESTERN AGENCY AND LOAN CORPORATION SUBDIVISION;  
THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 29<sup>TH</sup> STREET;  
THENCE NORTHERLY ALONG A STRAIGHT LINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID 29<sup>TH</sup> STREET AND THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH ALLEY IN BLOCK 4 OF SAID KIRCHMAN AND JEDLAM'S WESTERN AGENCY AND LOAN CORPORATION SUBDIVISION;  
THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH AND NORTHEASTERLY-SOUTHWESTERLY ALLEY IN KOMAREK'S RIVERSIDE DRIVE SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHWEST QUARTER OF SECTION 30, TO AN ANGLE POINT IN SAID NORTH-SOUTH AND NORTHEASTERLY-SOUTHWESTERLY ALLEY;  
THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID ALLEY TO A POINT ON THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOT 8 IN SAID KOMAREK'S RIVERSIDE DRIVE SUBDIVISION;  
THENCE NORTHWESTERLY ALONG SAID SOUTHEASTERLY EXTENSION AND SOUTHWESTERLY LINE AND NORTHWESTERLY EXTENSION THEREOF TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF RIVERSIDE DRIVE;  
THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND NORTHEASTERLY EXTENSION THEREOF TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE ILLINOIS CENTRAL RAILROAD;  
THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE TO A POINT ON THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE NORTHEASTERLY-SOUTHWESTERLY ALLEY IN RIVERSIDE PARK SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHWEST QUARTER OF SECTION 30;  
THENCE NORTHEASTERLY ALONG SAID SOUTHWESTERLY EXTENSION AND SOUTHEASTERLY RIGHT-OF-WAY LINE TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE HARLEM AND 26<sup>TH</sup> STREET SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHWEST QUARTER OF SECTION 30;  
THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND SOUTH LINE TO THE SOUTHWEST CORNER OF LOT 5 IN SAID HARLEM AND 26<sup>TH</sup> STREET SUBDIVISION;  
THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 5 AND THE NORTHERLY EXTENSION THEREOF TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 30;  
THENCE EASTERLY ALONG SAID NORTH LINE TO A POINT ON THE CENTERLINE OF RIVERSIDE DRIVE;

THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 30;  
THENCE NORTHERLY ALONG SAID EAST LINE TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOTS 23 AND 126 IN THE 22<sup>ND</sup> STREET LAND ASSOCIATION SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHWEST QUARTER OF SECTION 30;  
THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND SOUTH RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CLINTON AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOTS 127 AND 197 IN SAID 22<sup>ND</sup> STREET LAND ASSOCIATION SUBDIVISION;  
THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF KENILWORTH AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOTS 99 AND 52 IN OAK PARK AVENUE AND 22<sup>ND</sup> STREET SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHWEST QUARTER OF SECTION 30;  
THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE CENTER LINE OF GROVE AVENUE;  
THENCE SOUTHERLY ALONG SAID CENTER LINE TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH HALF OF LOT 50 IN SAID OAK PARK AVENUE AND 22<sup>ND</sup> STREET SUBDIVISION;  
THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND SOUTH LINE TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH ALLEY LYING EAST OF AND ADJOINING SAID LOT 50;  
THENCE SOUTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 22 IN SAID OAK PARK AVENUE AND 22<sup>ND</sup> STREET SUBDIVISION;  
THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND SOUTH LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30;  
THENCE SOUTHERLY ALONG SAID WEST LINE TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 23 IN BLOCK 1 IN KLIMA'S SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHEAST QUARTER OF SECTION 30;  
THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND NORTH LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE NORTHEASTERLY-SOUTHWESTERLY ALLEY IN SAID BLOCK 1;  
THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY IN SAID BLOCK 1;  
THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE CENTER LINE OF WESLEY AVENUE;  
THENCE NORTHERLY ALONG SAID CENTER LINE TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "G" IN BERWYN MANOR SUBDIVISION;  
BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SAID SECTION 19;  
THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EUCLID AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "H" IN SAID BERWYN MANOR SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF OAK PARK AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "A" IN BERWYN GARDEN'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SAID SECTION 19;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF GROVE AVENUE AND THE NORTH



RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "B" IN SAID BERWYN GARDEN'S SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF KENILWORTH AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "C" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CLINTON AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "D" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HOME AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "E" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WENONAH AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "F" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WISCONSIN AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "G" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MAPLE AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF THE EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT "H" IN SAID BERWYN GARDENS SUBDIVISION;  
THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 19;  
THENCE SOUTHERLY ALONG SAID WEST LINE TO THE POINT OF BEGINNING.  
EXCEPTING THEREFROM, LOTS 295, 296, 351, 352 AND 353 IN SAID BERWYN GARDENS SUBDIVISION;  
ALSO EXCEPTING,  
THAT PART OF LOT 1 IN THE CIRCUIT COURT PARTITION OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 30, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF CERMAK ROAD AND WITH THE WEST RIGHT-OF-WAY LINE OF HOME AVENUE;  
THENCE NORTH 89 DEGREES 37 MINUTES 40 SECONDS WEST ON AN ASSUMED BEARING ALONG SAID SOUTH RIGHT-OF-WAY LINE 286.00 FEET;  
THENCE SOUTH 00 DEGREES 22 MINUTES WEST, A DISTANCE OF 5.0 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE;  
THENCE NORTH 89 DEGREES, 37 MINUTES 40 SECONDS WEST, 321.70 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE;  
THENCE SOUTH 00 DEGREES 22 MINUTES 20 SECONDS WEST, 61.50 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 00 DEGREES 22 MINUTES 20 SECONDS WEST, 161.00 FEET;  
THENCE NORTH 89 DEGREES 37 MINUTES 40 SECONDS WEST, 160.00 FEET;  
THENCE NORTH 00 DEGREES 22 MINUTES 20 SECONDS EAST, 161.00 FEET;  
THENCE SOUTH 89 DEGREES 37 MINUTES 40 SECONDS EAST, 160.00 FEET TO THE POINT OF BEGINNING.  
ALSO EXCEPTING,  
THAT PART OF SAID LOT 1 IN THE CIRCUIT COURT PARTITION OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 30, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER;  
THENCE SOUTH 89 DEGREES 38 MINUTES 08 SECONDS EAST, 243.02 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER;



THENCE SOUTH 00 DEGREES 21 MINUTES 52 SECONDS WEST, 65.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF CERMAK ROAD, (DEDICATED AS PER DOCUMENT NO. 19198042, RECORDED JULY 28, 1964) SAID POINT BEING THE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 14 MINUTES 16 SECONDS EAST, 91.26 FEET;  
THENCE SOUTH 61 DEGREES 14 MINUTES 31 SECONDS WEST, 67.86 FEET;  
THENCE SOUTH 89 DEGREES 30 MINUTES 06 SECONDS WEST, 59.37 FEET;  
THENCE SOUTH 57 DEGREES 39 MINUTES 48 SECONDS WEST, 87.41 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HARLEM AVENUE;  
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 107.00 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A 65.00 FEET RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE 102.51 FEET (THE CHORD BEARS NORTH 45 DEGREES 10 MINUTES 56 SECONDS EAST TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF CERMAK ROAD;  
THENCE SOUTH 89 DEGREES 38 MINUTES 08 SECONDS EAST, 127.19 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.



April 26, 2011

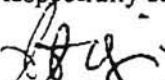
**Mayor Robert J. Lovero  
Members of the Berwyn City Council  
Berwyn City Hall  
6700 West 26<sup>th</sup> Street  
Berwyn, IL 60402**

**Re: Land Swap Agreement with the North Berwyn Parks District**

Dear Mayor and City Council,

Please see the attached land swap agreement between the City of Berwyn and the North Berwyn Parks District. The agreement was drafted by special legal counsel for the City and drafted to achieve benefits for both parties.

Respectfully submitted for your consideration,

  
Anthony W. Griffin

## REAL ESTATE EXCHANGE AGREEMENT

THIS REAL ESTATE EXCHANGE AGREEMENT (this "Agreement") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2011 (the "Effective Date"), by and between THE NORTH BERWYN PARK DISTRICT, a park district organized under the laws of the State of Illinois, (the "District") and THE CITY OF BERWYN, a municipal corporation duly organized under the laws of the State of Illinois, (the "City"). The District, together with the City, for convenience purposes only may be referred to herein as the "Parties" and each individually as a "Party."

### RECITALS

A. The District is the owner of approximately +/-0.92 acres of real property (with all rights, interests and appurtenances thereto) located in the City of Berwyn, Illinois, legally described in Exhibit A-1 and depicted in Exhibit A-2 (the "District Property").

B. The City is the owner of approximately [TO BE INSERTED] acres of real property (with all rights, interests and appurtenances thereto) located in the City of Berwyn, Illinois, legally described in Group Exhibit B-1 and depicted in Group Exhibit B-2 (the "City Property").

C. The Parties believe that the District Property and the City Property have equivalent values.

D. The District and the City desire to exchange the District Property for the City Property.

E. Each Party has held all necessary hearings, issued all required notices and undertaken all necessary approvals pursuant to all applicable federal, state and local laws to effectuate the terms of the land exchange and the other transactions contemplated hereunder.

F. Each Party believes that the transactions contemplated hereunder are in the best interests of the health, safety and welfare of its constituency and that this Agreement is consistent with the goals and objectives of each Party in promoting the general public welfare.

NOW, THEREFORE, in consideration of the exchange of Ten and No/100 United States Dollars (\$10.00), the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Agreement to Convey.** At the Closing (as defined below) the District shall convey the District Property to the City, and the City shall convey the City Property to the District. In addition to other consideration set forth below, each transfer contemplated herein is to be made in consideration and as a contingent obligation of the other.

2. **Closing and Closing Conditions.**

a. The closing of the exchange of the City Property and the District Property contemplated by this Agreement, unless otherwise terminated, shall occur no later than fourteen (14) calendar days after the satisfaction of the Inspection Period (as defined below) or such earlier date as may be agreed to by the Parties in writing (the "Closing"). In the event the Closing does not occur prior to [TO BE INSERTED] each Party shall have the right to terminate this Agreement by delivering to the non-terminating Party a written notice of its intent to terminate.

b. The Closing shall occur through a standard form "Closing Escrow" established and maintained at the offices of the Title Company (as defined below) (the "Escrow Agreement"). The Escrow Agreement shall contain any special provisions required by this Agreement or the transaction contemplated hereunder. In the event of a conflict between the terms of this Agreement and the Escrow Agreement, the terms of this Agreement shall in all instances govern and control.

c. The Closing shall occur at the offices of the Title Company closest to the City Property.

3. **Conditions Precedent to Closing.**

a. In addition to other closing conditions specifically enumerated in this Agreement, the following shall be additional conditions precedent for the Closing:

- i. This Agreement not being previously terminated pursuant to its terms and conditions;
- ii. The Inspection Period having been expired, terminated or waived;
- iii. Each Party's representations and warranties being accurate, correct and true as if specifically remade at the Closing.

b. Each Party has the right to waive its conditions precedent under this Agreement.

4. **Closing Deliveries; Closing Costs and Expenses; Post-Closing Costs.**

a. District's Closing Deliveries. At or prior to the Closing the District shall deliver to the City and/or the Title Company, as applicable, the following documents and items:

- i. A special warranty deed (the "District Deed") conveying the District Property to the City subject only to the Permitted Exceptions (as hereinafter defined) or such other exceptions as expressly agreed to herein;
- ii. A Certificate of Non-Foreign Status of the District, as required by Section 1445 of the Internal Revenue Code (and any amendment thereto), which certifies that the District is not a foreign transferor and which is in a form and substance reasonably satisfactory to the City;
- iii. Any and all reasonable and customary documentation required by the Title Company (as hereinafter defined) in order for the Title Company to issue the Title Policy (as hereinafter defined), with an endorsement for any title endorsements required by the City and any other documentation necessarily required to complete the transaction contemplated herein;
- iv. An ALTA Statement, Affidavit of Title and a personal "Gap" undertaking, if required;
- v. Five (5) original closing statements prepared by the District in a manner which reflects the terms and conditions of this Agreement, as applicable, and that is otherwise in a form reasonably acceptable to the City;
- vi. Such proof of the District's authority and authorization to enter into this transaction as may be required by the Title Company, which may include certified copies of any and all legislation passed and certified by the District's Board of Commissioners permitting the District to undertake the transaction contemplated herein;
- vii. Possession (and use, as applicable) of the District Property, free of parties in possession (except as specifically set forth herein or as otherwise mutually agreed to by a written agreement of the Parties), in the same condition as of the Effective Date (excepting normal wear and tear and environmental remediation);

- viii. A standard form Bill of Sale, in the form attached hereto as Exhibit C, executed by the District and conveying all personal property located on the District Property to the City in an "as is," "where is" and "with all faults" condition; and
- ix. Originals of all items necessary for the City to enter, exit, secure and use the District Property including, without limitation, keys, key cards, alarm codes and garage door openers necessary for the City to enter and exit the District Property.

b. City's Closing Deliveries. At or prior to the Closing the City shall deliver to the District and/or the Title Company, as applicable, the following documents and items:

- i. A special warranty deed (the "City Deed") conveying the City Property to the District subject only to the Permitted Exceptions (as hereinafter defined) or such other exceptions as expressly agreed to herein;
- ii. A Certificate of Non-Foreign Status of the City, as required by Section 1445 of the Internal Revenue Code (and any amendment thereto), which certifies that the City is not a foreign transferor;
- iii. Any and all reasonable and customary documentation required by the Title Company (as hereinafter defined) in order for the Title Company to issue the Title Policy (as hereinafter defined), with an endorsement for any title endorsements required by the District and any other documentation necessarily required to complete the transaction contemplated herein;
- iv. An ALTA Statement, Affidavit of Title and a personal "Gap" undertaking, if required;
- v. Five (5) original closing statements prepared by the City in a manner which reflects the terms and conditions of this Agreement, as applicable, and that is otherwise in a form reasonably acceptable to the District;
- vi. Such proof of the City's authority and authorization to enter into this transaction as may be required by the Title Company, which may include certified copies of any and all legislation passed and certified by the City's Corporate Authorities permitting the City to undertake the transaction contemplated herein;



- vii. Possession (and use, as applicable) of the City Property, free of parties in possession (except as specifically set forth herein or as otherwise mutually agreed to by a written agreement of the Parties), in the same condition as of the Effective Date (excepting normal wear and tear and environmental remediation);
- viii. A standard form Bill of Sale, in the form attached hereto as Exhibit C, executed by the City and conveying all personal property located on the City Property to the District in an "as is," "where is" and "with all faults" condition; and
- ix. Originals of all items necessary for the District to enter, exit, secure and use the City Property including, without limitation, keys, key cards, alarm codes and garage door openers necessary for the District to enter and exit the City Property.

c. Closing Deliveries; Generally. Each document and item to be delivered at the Closing shall be prepared in a form agreeable to the District, the City and, as applicable, the Title Company. All deliveries to be made and all transactions to be consummated at the Closing shall be deemed to have been delivered and made simultaneously with all other transactions. No delivery shall be deemed to be made and no transaction shall be deemed to have been consummated until all deliveries required by the Parties have been made and all transactions have been consummated.

d. Allocation of Closing Costs and Expenses. The Parties shall share equally all costs and expenses associated with the Closing Escrow. Each Party shall individually be responsible for the payment of the following costs and expenses for the property it is transferring to the other Party:

- i. Obtaining the Title Commitment, the Title Policy and the Survey (with all such terms defined below);
- ii. The cost to record any instruments to consummate the transaction contemplated hereunder;
- iii. Any costs or expenses imposed by governmental bodies regarding the transfer of real estate, if imposed on this transaction;
- iv. All taxes, service fees and utility expenses incurred by the then current property owner prior to the Closing;
- iv. All legal and other professional fees incurred in consummating this transaction.

e. Post-Closing Real Estate Tax; Acknowledgement. Each Party acknowledges that the property it is transferring to the other Party is exempt from taxes imposed under the Cook County Real Property Taxation Ordinance.

**5. Title Insurance; Survey; Approval of Title and Survey.**

a. Title Commitment. Within fifteen (15) calendar days after the Effective Date, the then current owner of the property being exchanged (to wit: the District for the District Property and the City for the City Property) shall deliver to the other Party a commitment for an ALTA 2006 Owner's Title Insurance Policy issued by the Title Company evidencing the ownership in the applicable property in the then current owner of the property (the "Title Commitment"). Each Title Commitment shall be issued to the Parties in an amount agreed to by the Parties in writing, but in no event less than Ten Thousand and No/100 United States Dollars (\$10,000.00) (the "Insurable Amount"). The Title Commitment shall be subject to: (i) the five (5) general exceptions; (ii) general real estate taxes (if applicable); (iii) matters created by, through and under the successor owner of the property in question (to wit: the City for the District Property and the District for the City Property); (iv) covenants, conditions and matters of record on the property; and (v) all the items listed on the Title Commitment, including title exceptions pertaining to liens, taxes or encumbrances of a definite or ascertainable amount that the then current owner of the property shall remove from the Title Commitment on or prior to the Closing through a payment of money or by contesting the encumbrance in question.

b. Title Policy. Prior to the Closing, the Title Company shall prepare a standard form ALTA 2006 Owner's Policy of Title Insurance insuring the good and marketable title to each property in the Insurable Amount and containing a standard form endorsement for "extended coverage" and all other endorsements requested by the Party taking title to the property in question (the "Title Policy"). The Parties agree to direct the Title Company to deliver each Title Policy at the Closing. The Title Policy delivered at the Closing will show the City as the titleholder of the District Property and the District as the titleholder of the City Property.

c. Survey. Within fifteen (15) calendar days after the Effective Date, the then current owner of the property being exchanged shall deliver to the other Party a standard form ALTA survey prepared by a mutually acceptable land surveyor licensed in the State of Illinois (the "Survey"). The Survey shall minimally contain the following: (i) the number of net usable square feet contained in the surveyed property; (ii) all easements, roadways, streets, highways, alleys, wetlands, flood plains, rights of way and other such items of material impact to any future use of the property being surveyed; (iii) all exceptions enumerated on Schedule B of the Title Commitment for the property being surveyed; and (iv) a certification of the Survey to the benefit of the Party taking title to

the property being surveyed. The Survey shall also contain any commercially reasonable items requested in writing by the Party taking title to the property in question.

d. Title and Survey Approval. Each Party shall have a period of ten (10) calendar days following the later receipt of (i) the Title Commitment or (ii) the Survey to review such documents and deliver to the other (and the Title Company) a notice of objections that Party may have to anything contained in, set forth in or disclosed by the document in question ("Unpermitted Exceptions"). Any item not objected to pursuant to the terms of this Section shall be considered accepted and thereafter deemed a "Permitted Exception." The Party receiving notice of an Unpermitted Exception may, within ten (10) calendar days after receipt of said notice, elect to eliminate or satisfy the Unpermitted Exception(s) to the satisfaction of the other Party. If the recipient of the objection is unable or unwilling to correct any Unpermitted Exception within the ten (10) calendar day period, that Party shall be deemed to have elected not to make such cure, in which event the objecting Party shall have the right, at its election and as its sole and exclusive remedy, prior to the expiration an additional ten (10) calendar day period, to: (a) waive any and all Unpermitted Exceptions and accept title to the property in question subject to such Unpermitted Exceptions in which event such Unpermitted Exceptions shall be deemed "Permitted Exceptions" or (b) terminate this Agreement. In the event that the objecting Party has not waived the Unpermitted Exceptions prior to the expiration of the objection and cure period set forth above, the objecting Party shall be deemed to have elected to terminate this Agreement. In the event that the objecting Party elects or is deemed to have terminated this Agreement, then this Agreement shall be null and void, and neither Party hereto shall have any further obligations or liability under this Agreement, except as specifically set forth herein.

6. Inspection Period; Termination; Indemnification; Insurance. For a period of fifteen (15) calendar days after the Effective Date (the "Inspection Period"), each Party and its agents and representatives shall be entitled to conduct an inspection as to the property that it intends to acquire hereunder. The inspecting Party shall be permitted to take all steps necessary to determine if the property it intends to acquire is satisfactory for its intended use of the property being inspected. If either Party determines the property it intends to acquire is unsatisfactory to it, in its sole and absolute discretion and for any reason or no reason at all, the inspecting Party shall have the right to unilaterally terminate this Agreement by dispatching written notice to the other Party of its intention to terminate this Agreement. The inspecting Party's notice to terminate shall be given on or prior to the last day of the Inspection Period or be deemed unequivocally waived. Either Party has the right to waive its termination rights under this Section of this Agreement. Neither Party, nor any of its agents or representatives, shall materially damage the property being inspected. The inspecting Party shall defend, protect, indemnify and hold harmless the then current owner of the property being inspected from any and all claims, demands, actions, lawsuits, damages and costs, including reasonable attorneys' fees, arising out of any act or omission occurring during the inspection of the property or any violation of this Agreement. The indemnification obligations set forth in this Section of this Agreement shall survive the Closing and any termination of this Agreement. To the extent that the inspecting Party intends to enter, or have its agents or

representatives enter, the property being inspected, the inspecting Party agrees to deliver evidence of liability insurance reasonably acceptable to then current owner of the property.

7. **Representations and Warranties.** Each Party represents and warrants to the other as follows:

- a. It has the power and authority to carry out its obligations under this Agreement, and that all requisite governmental action necessary to authorize it to enter into this Agreement and to carry out its obligations under this Agreement has been, or on or before the Closing will have been taken;
- b. It is not a "foreign person" as defined in Section 1445 of the Internal Revenue Code of 1986, as amended, and the Income Tax Regulations thereunder;
- c. It is not a person or entity described by Section 1 of the Executive Order (No. 13,224) Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism, 66 Fed. Reg. 49,079 (September 25, 2001), and does not engage in any dealings or transactions, and is not otherwise associated, with any of those persons or entities;
- d. There are no recorded or unrecorded contracts, leases and/or options pertaining to or affecting the property it intends to transfer, or any part thereof, or encumbrances that would limit, prohibit or in any way govern the City's Intended Use of the property it will receive under the terms of this Agreement other than the Permitted Exceptions and other than this Agreement;
- e. It used the property being conveyed in the normal course of its business and maintained it in the same condition as of the Effective Date (excepting any alterations to the property that occurred due to inspections occurring during the Inspection Period);
- f. It has no actual knowledge of the presence of any "Hazardous Substance" as defined in Exhibit D on the property it intends to transfer;
- g. It has not used a real estate agent or broker in connection with this transaction and has not engaged a property manager regarding its property.

8. **Condemnation.** In the event that between the Effective Date and the Closing any condemnation or eminent domain proceedings are initiated that might result in the taking of any part of the City Property or the District Property, the acquiring Party shall have the right to terminate this Agreement, in which event the rights and obligations of the Parties under this Agreement shall cease with the exception of those specifically exempted therefrom pursuant to the provisions of this Agreement.

9. **Default.**

a. Any of the following will constitute an act of default hereunder by the Party that is the then current owner of the City Property or the District Property, as applicable:

i. failure of the City to ~~deliver~~ the City Deed or failure of the District to deliver the District Deed or any of the required and material documentation at the Closing;

ii. material ~~misrepresentation~~ or material breach of any representation or warranty (as such representations and warranties may be amended by an amendatory notice); or

iii. failure to perform any of its material obligations hereunder or under this Agreement to the extent any obligations are required to be performed before the Closing.

b. Any one of the following will constitute an event of default by the Party acquiring the City Property or the District Property, as applicable:

i. failure to make any requirement hereunder or to deliver any of the required documentation at the Closing;

ii. material ~~misrepresentation~~ or material breach of any representation or warranty (as such representations and warranties may be amended by an amendatory notice); or

iii. failure to perform any of its material obligations hereunder.

10. **Remedies.**

a. In the event that the then current owner of the City Property or the District Property, as applicable, fails to comply with any of its obligations to be performed hereunder, on or prior to the Closing, then the acquiring Party shall have available to it any remedies in law or equity. Except as set forth above, in no event shall the current owner of the City Property or the District Property, as applicable, be liable to the acquiring Party for any third party damages including, without limitation, any loss or damage suffered by the acquiring Party in connection with any agreement or



understanding with any third party with respect to the use, lease or purchase of the property being acquired.

- b. In the event that the acquiring Party fails to comply with any of the obligations to be performed by it hereunder, on or prior to the Closing, and the then current owner of the City Property or the District Property, as applicable, is not otherwise in breach or default of its obligations or conditions precedent/Closing contingencies hereunder, the Inspection Period has expired or been waived and this Agreement has not been terminated, the then current owner shall have the right to exercise any remedies available to it in law or equity.

**11. Notices.** Any notice, termination, waiver, request, demand or other communication provided for by this Agreement shall be in writing and shall be deemed to have been duly received upon: (A) actual receipt if personally delivered and the sender received written confirmation of personal delivery; (B) receipt as indicated by the written or electronic verification of delivery when delivered by overnight courier; (C) upon receipt, or refusal, as the case may be, after the sender posts notice with the U.S. Post Office when sent by certified or registered mail, return receipt requested. Notice shall be sent to the addresses set forth below or to such other address as either Party may specify in writing.

To the City:

City of Berwyn  
6700 26<sup>th</sup> Street  
Berwyn, IL 60402  
Attention: \_\_\_\_\_  
Facsimile: \_\_\_\_\_

With a copy to:

Berwyn Development Corporation  
3322 S. Oak Park Avenue  
Berwyn, IL 60402  
Attention: Executive Director  
Facsimile: 708-788-0966

and

Del Galdo Law Group, LLC  
1441 S. Harlem Avenue  
Berwyn, Illinois 60402  
Attention: James M. Vasselli  
Facsimile: 708-222-7001

To the District:



North Berwyn Park District  
1619 Wesley Avenue  
Berwyn, Illinois 60402

Attention: \_\_\_\_\_

Facsimile: \_\_\_\_\_

With a copy to:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attention: \_\_\_\_\_

Facsimile: \_\_\_\_\_

The parties, by notice given hereunder, may designate any further or different address to which subsequent notices, certificates, approvals, consents or other communications shall be sent.

**12. Attorneys' Fees.** In the event that either Party shall bring an action or legal proceeding for an alleged breach of any provision, representation, warranty, covenant or agreement set forth in this Agreement or to enforce, interpret, protect, determine or establish the meaning of any term, covenant or provision of this Agreement or to establish a Party's rights or obligations hereunder, the most prevailing Party shall be entitled to recover from the other Party as a part of such action or proceedings, or in a separate action brought for that purpose, reasonable attorneys' fees and costs, expert witness fees and court costs as may be fixed by the court or jury.

**13. Miscellaneous:**

**13.01 Term of Agreement/Recording/Covenants Running With Land.** The term of this Agreement shall commence as of the Effective Date after the later of approval by the City or the District and shall terminate once all of the obligations of the Parties hereto have been fully performed, or upon a Default of any material provision hereof by either Party hereto, which is not cured in accordance herewith. The Parties agree to execute and deliver the original of this Agreement in proper form for recording and/or indexing in the appropriate land or governmental records, and the Parties hereto acknowledge that a memorandum of this Agreement may be recorded with the Cook County Recorder of Deeds to evidence the obligations and covenants contained herein, each of which shall, upon such recording, run with and bind the applicable property.

**13.02 Amendment.** This Agreement and any exhibits attached hereto may be amended only by the mutual consent of the Parties and by the adoption of an ordinance or resolution of the City and the District approving said amendment, as provided by law and by the execution of said amendment by the Parties or their successors in interest.

**13.03 No Other Agreements.** Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof, and, together with the exhibits, represents the full integration of the agreement of the Parties. The Parties acknowledge and agree that some Exhibits will be supplemented and modified and agree to integrate such mutually acceptable

modifications and amendments in good faith into this Agreement. The Exhibits attached hereto shall be controlling documents where a conflict arises and are hereby incorporated herein by this reference.

13.04 Consent. Except as otherwise provided in this Agreement, whenever the consent or approval of either Party is required, such consent or approval shall not be unreasonably withheld.

13.05 Conflict of Interest/Limitation of Liability. No member, official or employee of the City or the District shall have any personal interest, direct or indirect, in this Agreement; nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his personal interests or the interests of any corporation, partnership, or association in which he is directly or indirectly interested. No member, official, employee or agent of the City or the District shall be personally liable to the other or any successor in interest in the event of any Default or breach of this Agreement.

13.06 Mutual Assistance. The Parties agree to take such actions, including the execution and delivery of such documents, instruments, petitions and certifications, as may be necessary or appropriate to carry out the terms, provisions and intent of this Agreement.

13.07 Limited Applicability of City's Approval; Police Power. Any approvals made by the City with regard to this transaction are for the purposes of this Agreement only and do not affect or constitute approvals required for building permits or approvals required pursuant to any other ordinance of the City, nor does any approval by the City pursuant to this Agreement constitute approval of the quality, structural soundness or the safety of either the District Property or the City Property to be transferred hereunder, except as specifically set forth herein. Nothing herein waives the right of the City to exercise any police power function normally attributed to a municipality. All approvals hereunder are by the City and subject to the advice and consent of its consultants, contractors, accountants, advisors and attorneys. Consideration of or consent to a request of the District does not mean approval but shall require the City's good faith consideration of the same.

13.08 Remedies Cumulative. The remedies of a Party hereunder are cumulative and the exercise of any one or more of the remedies provided for herein shall not be construed as a waiver of any of the other remedies of such Party unless specifically so provided herein.

13.09 Disclaimer. Nothing contained in this Agreement, or any act of the City, shall be deemed or construed by any of the Parties, or by third persons, to create any relationship of third party beneficiary, or of principal or agent, or of limited or general partnership, or of joint venture, or of any association or relationship involving the City.

13.10 Governing Law; Limitation of Liability; Limitation of Funds Available. The provisions of this Agreement shall be governed by the laws of the State of Illinois.

Nothing in this Agreement shall waive any governmental immunity protections available to the City.

13.11 Paragraph; Headings. The paragraph headings and references are for the convenience of the Parties and are not intended to limit, vary, define or expand the terms and provisions contained in this Agreement and shall not be used to interpret or construe the terms and provisions of this Agreement.

13.12 Counterparts/Facsimile and Electronic Transmission. This Agreement may be executed in several counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute a single agreement. A signature affixed to this Agreement and transmitted by facsimile or electronic mail shall have the same effect as an original signature

13.13 Successors and Assignees; Assignment. The terms, conditions, covenants and restrictions of this Agreement shall extend and apply to and bind the successors and assignees of the City and the successors and assigns of the District. Notwithstanding any other provisions of this Agreement, the District shall not be permitted to assign this Agreement (in whole or in part) without the express written consent of the City, which may be granted or withheld in its reasonable discretion.

13.14 Severability. If any provision of this Agreement, or any paragraph, sentence, clause, phrase or word, or the application thereof, in any circumstance, is held invalid, the remainder of this Agreement shall be construed as if such invalid part were never included herein, and the Agreement shall be and remain valid and enforceable to the fullest extent permitted by law.

13.15 Provisions not Merged with Deed. None of the provisions of this Agreement are intended to merge, nor shall they be merged, by reason of any deed transferring title to any portion of any property being transferred hereunder, and said deed shall not be deemed to affect or impair the provisions and covenants of this Agreement.

13.16 Reimbursement. Any reimbursement to be made hereunder shall be made no later than thirty (30) days after the reimbursing Party receives a written request for the same from the Party to be reimbursed. The written request shall contain commercially reasonable supporting invoices and other supporting information/documentation.

13.17 Days. All days, except where specifically set forth herein, shall be read as calendar days. In the event that a deadline set forth herein falls on a Saturday, Sunday or an Illinois or nationally recognized holiday, the deadline shall be extended to the following Business Day.

[signature page to follow]

THIS AGREEMENT is made and delivered as of the date first above written.

NORTH BERWYN PARK DISTRICT, a  
park district organized under the laws of the  
State of Illinois:

By: \_\_\_\_\_,

Its: \_\_\_\_\_

ATTEST: \_\_\_\_\_

By: \_\_\_\_\_

CITY OF BERWYN, an Illinois municipal  
corporation:

By: \_\_\_\_\_  
Hon. Robert J. Lovero, Mayor

ATTEST: \_\_\_\_\_

By: \_\_\_\_\_  
City Clerk

**EXHIBIT A-1**

DRAFT

**EXHIBIT A-2**

DRAFT



**GROUP EXHIBIT B-1**

DRAFT

**GROUP EXHIBIT B-2**

DRAFT

**EXHIBIT C**

DRAFT

**EXHIBIT D**

DRAFT

**THE CITY OF BERWYN**  
**COOK COUNTY, ILLINOIS**

**RESOLUTION**  
**NUMBER \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE TRANSFER AND EXCHANGE OF CERTAIN  
REAL PROPERTY WITH THE NORTH BERWYN PARK DISTRICT  
AND THE EXECUTION OF A CERTAIN AGREEMENT**

**Robert J. Lovero, Mayor**  
**Thomas J. Pavlik, City Clerk**

**Nona Chapman**  
**Jeffrey Boyajian**  
**Margaret Paul**  
**Michele Skryd**  
**Cesar Santoy**  
**Theodore Polashek**  
**Rafael Avila**  
**Nora Laureto**  
**Aldermen**

**Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn on April 27, 2011.**

**RESOLUTION No. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE TRANSFER AND EXCHANGE OF CERTAIN  
REAL PROPERTY WITH THE NORTH BERWYN PARK DISTRICT  
AND THE EXECUTION OF A CERTAIN AGREEMENT**

**WHEREAS**, the City of Berwyn (the "City") is a home rule unit of local government as is provided by Article VII, Section 6(a) of the Illinois Constitution (1970) and, as such, may exercise various powers and perform numerous functions pertaining to its government and affairs in any manner not otherwise prohibited by law; and

**WHEREAS**, the North Berwyn Park District ("District") is the owner of approximately 0.92 acres of real property (with all rights, interests and appurtenances thereto) located in the City, which property is legally described that certain Real Estate Exchange Agreement (the "Agreement"), attached hereto and incorporated herein, (the "District Property"); and

**WHEREAS**, the City is the owner of certain real property, legally described in the Agreement, (the "City Property"); and

**WHEREAS**, the Mayor and City Council desire to convey the City Property to the District, in exchange for which the District will convey the District Property to the City (collectively, the "Conveyances"); and

**WHEREAS**, the Mayor and the City Council has determined that it is necessary and convenient for the City to use, occupy and improve the District Property for the public purpose of promoting redevelopment and revitalization of properties located within the City; and

**WHEREAS**, the City's use, occupancy and improvements of the District Property will promote the health, safety and welfare of the City and its inhabitants by, among other things, encouraging development, enhancing the local tax base and increasing employment opportunities; and



**WHEREAS**, previously, in accordance with the Local Government Property Transfer Act (50 ILCS 605/0.01, *et seq.*) (the “Act”), the City adopted an ordinance requesting and consenting to the District’s conveyance of the District Property to the City; and

**WHEREAS**, the District has adopted, or will adopt, the legislation required by the Act in furtherance of the exchange of real property set forth herein; and

**WHEREAS**, the Agreement sets forth the terms and conditions that will govern the Conveyances; and

**WHEREAS**, based upon the foregoing, the Mayor and the City Council have determined that it is necessary and in the best interests of the City and its residents to enter into the Agreement, thereby authorizing the Conveyances, and to take all necessary actions to accomplish the same;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its home rule powers, as follows:

*Section 1.* The statements set forth in the preamble to this Resolution are found to be true and correct and are incorporated into this Resolution as if set forth in full.

*Section 2.* The City Council hereby finds and determines that it is necessary and in the best interests of the City to enter into the Agreement and authorize the Conveyances.

*Section 3.* The City’s legal counsel is hereby authorized to negotiate and undertake any and all actions on the part of the City to effectuate the transaction contemplated by this Resolution.

*Section 4.* The Mayor is hereby authorized to execute the Agreement and all documents required to complete the City’s acquisition of the District Property, the City’s transfer of the City property and to carry out the objectives set forth in this Resolution. The City Clerk is hereby authorized and directed to attest to and countersign any such documents, as required.

*Section 5.* All prior actions of the City's officials, employees and agents with respect to the subject matter of this Resolution are hereby expressly ratified.

*Section 6.* The provisions of this Resolution are hereby declared to be severable, and should any provision of this Resolution be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

*Section 7.* All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

*Section 8.* This Resolution shall be immediately in full force and effect after passage, approval and publication. A full, true and complete copy of this Resolution shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.

[Remainder of page intentionally left blank.]

**ADOPTED** by the City Council of the City of Berwyn, Cook County, Illinois on this 26<sup>th</sup> day of April 2011, pursuant to a roll call vote, as follows:

|                | <b>YES</b> | <b>NO</b> | <b>ABSENT</b> | <b>PRESENT</b> |
|----------------|------------|-----------|---------------|----------------|
| Chapman        |            |           |               |                |
| Boyajian       |            |           |               |                |
| Paul           |            |           |               |                |
| Skryd          |            |           |               |                |
| Santoy         |            |           |               |                |
| Polashek       |            |           |               |                |
| Avila          |            |           |               |                |
| Laureto        |            |           |               |                |
| (Mayor Lovero) |            |           |               |                |
| <b>TOTAL</b>   |            |           |               |                |

**APPROVED** this 26<sup>th</sup> day of April 2011.

\_\_\_\_\_  
Robert J. Lovero  
MAYOR

ATTEST:

\_\_\_\_\_  
Thomas J. Pavlik  
CITY CLERK

**EXHIBIT A**  
**Agreement**

**THE CITY OF BERWYN**  
**COOK COUNTY, ILLINOIS**

**ORDINANCE**  
**NUMBER \_\_\_\_\_**

**AN ORDINANCE REQUESTING THE CONVEYANCE OF CERTAIN PROPERTY  
FROM THE NORTH BERWYN PARK DISTRICT**

**Robert J. Lovero, Mayor**  
**Thomas J. Pavlik, City Clerk**

**Nona Chapman**  
**Jeffrey Boyajian**  
**Margaret Paul**  
**Michele Skryd**  
**Cesar Santoy**  
**Theodore Polashek**  
**Rafael Avila**  
**Nora Laureto**  
**Aldermen**

**Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn on April 27, 2011.**

**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE REQUESTING THE CONVEYANCE OF CERTAIN PROPERTY  
FROM THE NORTH BERWYN PARK DISTRICT**

**WHEREAS**, the City of Berwyn (the "City") is a home rule unit of local government as is provided by Article VII, Section 6(a) of the Illinois Constitution (1970) and, as such, may exercise various powers and perform numerous functions pertaining to its government and affairs in any manner not otherwise prohibited by law; and

**WHEREAS**, the North Berwyn Park District ("District") is the owner of approximately 0.92 acres of real property (with all rights, interests and appurtenances thereto) located in the City, which property is legally described in Exhibit A, attached hereto and incorporated herein, (the "District Property"); and

**WHEREAS**, the Mayor and the City Council has determined that it is necessary and convenient for the City to use, occupy and improve the District Property for the public purpose of promoting redevelopment and revitalization of properties located within the City; and

**WHEREAS**, the City's use, occupancy and improvements of the District Property will promote the health, safety and welfare of the City and its inhabitants by, among other things, encouraging development, enhancing the local tax base and increasing employment opportunities; and

**WHEREAS**, the Mayor and City Council desire that the Board of Park Commissioners of the North Berwyn Park District convey the District Property to the City, pursuant to the authority conferred by the Local Government Property Transfer Act, 50 ILCS 605/0.01, *et seq.*, for the City's use, occupancy and improvement, as set forth herein; and



**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its home rule powers, as follows:

*Section 1.* The statements set forth in the preamble to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

*Section 2.* The City Council hereby finds and determines that it is necessary and convenient for the City to use, occupy and improve the District Property for the public purpose of promoting redevelopment and revitalization of properties located within the City and the City hereby requests and consents to the transfer of the District Property to the City on such terms and conditions as are mutually agreed upon by the Board of Park Commissioners of the District and the Mayor and City Council of the City.

*Section 3.* The City's legal counsel is hereby authorized to negotiate and undertake any and all actions on the part of the City to effectuate the transaction contemplated by this Ordinance.

*Section 4.* The Mayor is hereby authorized to execute any and all documents required to complete the City's acquisition of the District Property and to carry out the objectives set forth in this Ordinance. The City Clerk is hereby authorized and directed to attest to and countersign any such documents, as required.

*Section 5.* All prior actions of the City's officials, employees and agents with respect to the subject matter of this Ordinance are hereby expressly ratified.

*Section 6.* The provisions of this Ordinance are hereby declared to be severable, and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

*Section 7.* All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

*Section 8.* This Ordinance shall be immediately in full force and effect after passage, approval and publication. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.

[Remainder of page intentionally left blank.]

**ADOPTED** by the City Council of the City of Berwyn, Cook County, Illinois on this 26<sup>th</sup> day of April 2011, pursuant to a roll call vote, as follows:

|                | <b>YES</b> | <b>NO</b> | <b>ABSENT</b> | <b>PRESENT</b> |
|----------------|------------|-----------|---------------|----------------|
| Chapman        |            |           |               |                |
| Boyajian       |            |           |               |                |
| Paul           |            |           |               |                |
| Skryd          |            |           |               |                |
| Santoy         |            |           |               |                |
| Polashek       |            |           |               |                |
| Avila          |            |           |               |                |
| Laureto        |            |           |               |                |
| (Mayor Lovero) |            |           |               |                |
| <b>TOTAL</b>   |            |           |               |                |

**APPROVED** this 26<sup>th</sup> day of April 2011.

\_\_\_\_\_  
Robert J. Lovero  
MAYOR

ATTEST:

\_\_\_\_\_  
Thomas J. Pavlik  
CITY CLERK

**EXHIBIT A**

**Legal Description of District Property**



**F. Reports and Communications  
From The Mayor**



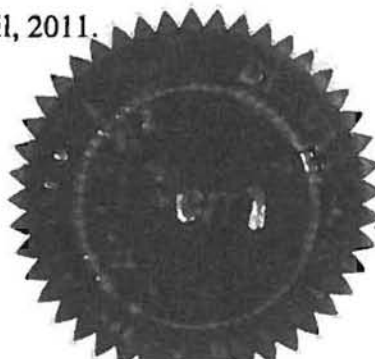
A Century of Progress with Pride

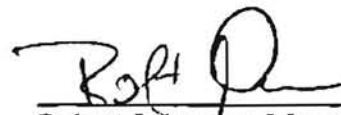
**PROCLAMATION**  
**Teacher Appreciation Week**

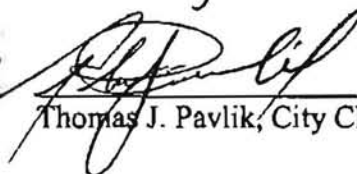
- WHEREAS,** teachers open children's minds to the magic of ideas, knowledge and dreams; and
- WHEREAS,** teachers keep American democracy alive by laying the foundation for good citizenship; and
- WHEREAS,** teachers fill many roles, as listeners, explorers, role models, motivators and mentors; and
- WHEREAS,** a strong, effective system of free public school education for all children and youth is essential to our democratic system of government; and
- WHEREAS,** the United States has made considerable progress in the social, technological, and scientific fields due to our systems of free and universal public education; and
- WHEREAS,** much of this progress can be attributed to the qualified and dedicated teachers entrusted with the educational development of our children to their full potential; and
- WHEREAS,** teachers should be accorded high public esteem, reflecting the value the community places on public education; and
- WHEREAS,** PTAs on every level nationwide are keenly aware of the importance and impact of teachers on children; and
- WHEREAS,** it is appropriate that teachers be recognized for this dedication and commitment to educating their students; and
- WHEREAS,** teachers continue to influence us long after our schools days are only memories.

**NOW, THEREFORE, I, Mayor Robert J. Lovero, Members of the Berwyn City Council and the Residents of Berwyn** hereby proclaim May 2-7, 2011 as Teachers Appreciation Week, and urge all citizens to pay tribute to our public school teachers this 26<sup>th</sup> day of April, 2010.

Dated this 26th day of April, 2011.



  
Robert J. Lovero, Mayor

  
Thomas J. Pavlik, City Clerk

The City of Berwyn

4/22



Robert J. Lovero  
Mayor

A Century of Progress with Pride

April 26, 2011

Members of the Berwyn City Council

Re: Appointment of Part-time Administrative Assistant

Council Members:

The appointment of Ms. Jynette Ayala to the position of Deputy City Clerk has created a vacancy in the Mayor's office.

I am respectfully requesting your concurrence in my appointment of Ms. Kelly Cimaglia to the position of Part-time Administrative Assistant to the City Attorney.

Ms. Cimaglia will work part-time or thirty-two (32) hours per week, with an annual salary of twenty thousand (\$20,000.00) and no/100 dollars, including benefits. She will be assigned for the majority of her time to the Law Department, as well as assisting in the Mayor's office.

Respectfully submitted,

Robert J. Lovero  
Mayor





## **G. Reports and Communication From The City Clerk**

6-1  
**The City of Berwyn**



**Thomas J. Pavlik**  
City Clerk

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

April 21, 2011

To: Mayor and Members of City Council

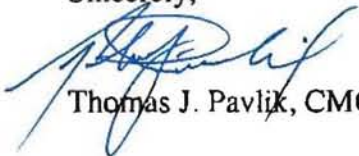
From: Tom Pavlik, City Clerk

Re: Retirement of Deputy City Clerk Louise Sommese

Ladies and Gentlemen,

Regrettably, I have received notice from Ms. Louise Sommese regarding her retirement as of April 30, 2011. Please join me in thanking Ms. Sommese for her 26 years of service to the City of Berwyn, where she faithfully served the citizens and will continue to serve the community as a member and Treasurer of the Berwyn Public Library Board. On behalf of the City of Berwyn, I thank her once again and wish her a retirement filled with health, happiness and continued success in all her future endeavors.

Sincerely,



Thomas J. Pavlik, CMC

**The City of Berwyn**



**Thomas J. Pavlik**  
City Clerk

**A Century of Progress with Pride**

6700 West 28<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

April 21, 2011

To: Mayor and Members of City Council

From: Tom Pavlik, City Clerk

Re: Appointment of Deputy City Clerk

Ladies and Gentlemen,

With the retirement of Deputy Clerk Ms. Sommese, I respectfully ask for your concurrence in my appointment of Jynette Ayala to the position of Deputy City Clerk/Secretary to City Council. I believe Ms. Ayala will be a valuable asset to the Clerk's office through her years of experience and working knowledge of the City, which will make for a smooth transition and allow my office maintain its service to the citizens of Berwyn at the highest level possible. In addition, her appointment will result in a cost savings from the budgeted line item for this position. I thank you in advance for your consideration of this matter.

Sincerely,

Thomas J. Pavlik, CMC



## **H. Communications From (Zoning) Board of Appeals**



**I. Reports and Communications From  
Aldermen, Committees other Boards  
and Commissions**



**The City of Berwyn**



**Margaret Paul**  
**3<sup>rd</sup> Ward Alderman**

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 748-6403 Fax: (708) 788-2875  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

Mayor Robert J. Lovero, and  
Members of the Berwyn City Council

April 21, 2011

Re: Piper School Special Event Street Closure Request

Dear Mayor and Members of the City Council:

Piper School's Parent-Teacher Association annually hosts a Piper School Block Party. Students, parents, faculty and neighbors living in the vicinity of Piper School are invited to attend. This year the PTA Block Party will be held on Friday May 20, 2011 on the school grounds located at 2435 S. Kenilworth Avenue. The event is always well attended by the grade school students.

For the safety of the children and other participants, I am requesting your concurrence to have Kenilworth Avenue closed to traffic from Riverside Drive to 25<sup>th</sup> Street on May 20, 2011. The closure would last from 3:30 p.m. in the afternoon until the conclusion of the block party and following clean up of the area. The street would re-open by 7:30 p.m.

The party will begin shortly following school dismissal. The street closure will also allow children to bike and skate in the street

I ask the cooperation of the Public Works department to provide barricades for the street closure as well as the alley on Kenilworth south of Riverside Drive. Refuse and recycling containers, if any on hand, would also be of benefit for the event.

I know I can speak on behalf of Principal Fontanetta and the Piper PTA and invite all to attend the event. I also invite the Berwyn Police Department and Berwyn Fire Department to attend. The students always enjoy the opportunity to meet our First Responders. Fire Trucks and other equipment would be a welcome attraction for the event.

Piper School will notify residents living on the 2400 block of Kenilworth about the street closure and invite them to attend the party.

Thank you for your consideration of this request.

Sincerely,

Margaret Paul

**The City of Berwyn**



**Robert J. Lovero**  
**Mayor**

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6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
www.berwyn-il.gov

Cesar Santoy  
5th Ward Alderman

Date: April 12, 2011

Mayor Robert J. Lovero  
And Members of the Berwyn City Council

Ladies and Gentlemen:

A meeting of the Business License & Taxation was held

On Tuesday, April 12, 2011 at 5:00 p.m. Berwyn City Hall

Those in attendance were: Alderman Santoy (Chair), Aldermen Avila (Member)

The matter discussed was referral item I-3 dated March 16, 2011 in regards to  
Holiday Light Ordinance

It is the recommendation of the committee that the fine be set as follows:

1. Warning for the first offense and a 30 day period to comply
2. A \$50 fine for subsequent violations
3. Refer to legal for final drafting

Voting Aye: Santoy, Avila

Voting Nay: 0

Adjourned: 5:10 p.m.

Cesar Santoy-Chairman  
Rafael Avila-Member  
Michele Skryd-Member



**The City of Berwyn**



**Nora Laureto**  
8<sup>th</sup> Ward Alderman

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www.berwyn-il.gov

ITEM NO. 9

DATE MAR 22 2011

DISPOSITION

*Refer to*  
*BLT*  
*Low Sept*

March 16, 2011

Mayor Robert Lovero  
Members of the City Council  
6700 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

RE: Holiday Light Removal Ordinance

Dear Mayor and Member of the City Council:

Holiday lights left up long after the Holiday's are over not only send a message that people do not care about the neighborhood, but are also a potential fire hazard. Outdoor light sets are not made for prolonged exposure to the elements and should be taken down as soon as the season is over. If left up and used again the next season they could cause a fire. Many suburbs have ordinances limiting outdoor seasonal displays. I believe that 60 days before and after a holiday would be fair to the residents of Berwyn. The city can extend the deadline in cold weather or severe winter storms as we had this past year. Therefore, it would be my motion to send this communication to the Business, License and Taxing committee for further review to determine the fine for non-compliance and to the legal department for drafting of the ordinance.

Sincerely,

*Nora Laureto*

Nora Laureto  
Alderman 8<sup>th</sup> Ward  
City of Berwyn



## **J. Staff Reports**

51

## CITY OF BERWYN

### CITY COUNCIL MEETING

(Date)

04/26/11

### Deferred Communication

Agenda Item J-1 is a Deferred Communication from C C Meeting dated 04/12/11

#26

FROM BPD-UNIT COMMANDER

Re: EVIDENCE STORAGE LOCKERS

ITEM #

26Roll Call/Tally Sheet  
City of BerwynDATE: April 12, 2011TIME: 8:00 p.m.CITY COUNCIL MEETING

| Member   | Motion | Second | Yea | Nay | No Vote |
|----------|--------|--------|-----|-----|---------|
| CHAPMAN  | ✓      |        |     |     |         |
| BOYAJIAN |        |        |     |     |         |
| PAUL     |        |        |     |     |         |
| SKRYD    |        | ✓      |     |     |         |
| SANTOY   |        |        |     |     |         |
| POLASHEK |        |        |     |     |         |
| AVILA    |        |        |     |     |         |
| LAURETO  |        |        |     |     |         |
| LOVERO   |        |        |     |     |         |

| Present | Absent | Excused | Abstain |
|---------|--------|---------|---------|
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| MOTION TO:            | REFER TO:                   | TO: | COMMENTS: |
|-----------------------|-----------------------------|-----|-----------|
| Approve as submitted  | BDC                         |     |           |
| Accept as Info        | Building Dept.              |     |           |
| Adjorn                | Collector                   |     |           |
| Adopt                 | Finance                     |     |           |
| Approved as Amended   | Fire Dept.                  |     |           |
| Approved for Payment  | City Administrator          |     |           |
| Approved as Submitted | Law Dept.                   |     |           |
| Bring Forward         | Mayor                       |     |           |
| Carried               | Police Dept.                |     |           |
| Concur                | Public Works Dept           |     |           |
| Defeated              | Committees & Boards         |     |           |
| Defer                 | Administration Comm.        |     |           |
| Defer / Refer         | Bldg/Zon/Plan Comm.         |     |           |
| Deny                  | Budget Comm.                |     |           |
| Germane               | Comm. Of Whole              |     |           |
| Grant Permission      | Business License & Taxation |     |           |
| Recess                | Fire & Police Comm.         |     |           |
| Refer                 | Library                     |     |           |
| Study & Report        | Parking & Traffic           |     |           |
| Suspend the Rules     | Public Works Comm.          |     |           |
| Withdraw              | Recreation Comm.            |     |           |
|                       | Traffic Engineer            |     |           |
|                       | Zon. Bd. Appeals            |     |           |



**Berwyn  
Police Department**

ITEM NO. 26  
DATE APR 12 2011  
DISPOSITION Refer  
6401 W 31<sup>st</sup> Street  
Berwyn, Illinois 60402  
(708) 795-5600 FAX (708) 749-0492

**To: Mayor Lovero and Members of City Council**  
**From: Unit Commander Joseph Santangelo, Detective Bureau**  
**Subject: Evidence Storage Lockers**

The Berwyn Police Department is in Phase 2 of updating evidence technologies within the Police Department and is seeking Council approval for updating the current Evidence Lockers. There are security risks inherited in the initial construction of the Police Department that need to be updated in order to streamline the chain of custody of evidence and provide better security.

The current evidence Lockers use a key for entry into the lockers allowing the officers to drop the key through a security hole after securing the evidence within the lockers. This created accountability issues, as keys have gone missing in the past.

The current lockers are not appropriately sized and cannot house evidence the size of shotguns, rifles or equivalent evidence.

The current lockers do not have any type of refrigerant capabilities which is essential in preserving evidence that can expire without proper temperature control.

Extensive research was done for the purpose of properly securing evidence and concluded that a keyless entry system is necessary to lock down the chain of custody and maximizing security of the evidence. Once Officers place evidence within the lockers, Officers are required to push a security button assigned to the locker. Once pushed does not allow any unauthorized personnel to access the evidence. The only authorized entry would be that of the Detective in Charge of Evidence.

Extensive research eliminated all but three companies that provide Evidence Storage Lockers: All Storage Products, Sentinel and Bradford Systems. Only Bradford Systems met the requirements sought by the Berwyn Police Department and the have installed evidence storage cabinets in the past at the Berwyn Police Department.

**\$21,025.00 Bradford Systems. The cost includes delivery, installation and warranty**

Respectfully,

Unit Commander Joseph Santangelo

**The City of Berwyn**



**Anthony T. Bertuca**  
**City Attorney**

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6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2860 Fax: (708) 788-2587  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

April 26, 2011

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6700 W. 26<sup>th</sup> Street  
Berwyn, Illinois 60402

Re: 09M1301958

Dear Mr. Pavlik:

Please put this item on the April 26, 2011 agenda authorizing the settlement of the above referenced matter for the total of \$7,500.00, based upon City Council authority granted in Executive Session.

Very truly yours,

Anthony T. Bertuca  
City Attorney

*53*  
The City of Berwyn



Anthony T. Bertuca  
City Attorney

A Century of Progress with Pride

April 26, 2011

Honorable Mayor, Robert J. Lovero  
And Members of the Berwyn City Council

Re: Ordinance Which Amends Chapter 1478: The Historic Preservation Ordinance of The Codified Ordinances of The City of Berwyn, Cook County, Illinois.

Ladies and Gentlemen:

The attached Ordinance is being submitted for your consideration. This amended Berwyn Historic Preservation Ordinance was drafted by Jamie S. Franklin of the Franklin Law Firm LLC.

This Ordinance was reviewed and approved by our Law Department, The Illinois Historic Preservation Agency, and the Berwyn Historic Preservation Commission.

The Law Department, as well as the Mayor's Office, is requesting your concurrence in the approval of this Ordinance.

Respectfully Submitted,

Anthony T. Bertuca  
City Attorney



**THE CITY OF BERWYN**  
**THE CITY OF BERWYN, ILLINOIS**

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**ORDINANCE**  
**NUMBER \_\_\_\_\_**

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**AN ORDINANCE AMENDING CHAPTER 1478: THE HISTORIC  
PRESERVATION ORDINANCE OF THE CODIFIED ORDINANCES OF  
THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

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**ROBERT J. LOVERO, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**JEFFREY G. BOYAJIAN**  
**MARGARET PAUL**  
**MICHELE D. SKRYD**  
**CESAR A. SANTOY**  
**THEODORE J. POLASHEK**  
**RAFAEL AVILA**  
**NORA LAURETO**  
**Aldermen**

**AN ORDINANCE AMENDING CHAPTER 1478: THE HISTORIC  
PRESERVATION ORDINANCE OF THE CODIFIED ORDINANCES OF  
THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

---

**WHEREAS**, it is hereby found that the preservation of the City of Berwyn's historic structures and housing stock is key to preserving the City's historic and architectural heritage for future generations.

**WHEREAS**, it is hereby found that the effectuation of this goal will conserve and improve the values of the properties designated historic and all properties within the City's boundaries.

**WHEREAS**, it is hereby found that an ordinance governing the preservation of the City's historic structures and housing stock is necessary to effectuate this goal.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Berwyn, County of Cook, State of Illinois, pursuant to its Home Rule Powers as set forth in Article VII, Section 6 of the Illinois Constitution (1970), as amended, as follows:

**Section 1:** Portions of Section 1478 are hereby amended to read as follows (with proposed additions underlined and proposed deletions ~~stricken~~):

**Berwyn, IL's Code of Ordinances**

**PART FOURTEEN: BUILDING AND HOUSING CODE**

**TITLE SIX: MISCELLANEOUS BUILDING REGULATIONS**

**CHAPTER 1478: HISTORIC PRESERVATION**

**Section 2**

1478.01 Purpose

1478.02 Historic Preservation Commission establishment; composition; duties

1478.03 Definitions

~~1478.04 Recognition of existing Historic Districts~~

~~1478.05 Local designation of a Historic District~~

~~1478.06—04~~ Criteria for designation of historic landmarks and interior historic landmarks

~~1478.07—05~~ Nomination and preliminary determination of eligibility for designation as a historic landmark or interior historic landmark

~~1478.08—06~~ Designation hearing

~~1478.09—07~~ Designation of historic landmarks and interior historic landmarks

1478.08 Recognition of existing Historic Districts

1478.09 Local designation of a Historic District

1478.10 Work requiring the issuance of a certificate of appropriateness or a certificate of economic hardship

1478.11 Zoning and subdivision actions affecting any nominated, eligible or designated historic landmarks or designated Historic Districts

1478.12 Acquisition or use of public property

1478.13 Review criteria for certificate of appropriateness and certificate of advisory review

- 1478.14 Procedures for certificate of appropriateness
- 1478.15 Procedures for certificate of economic hardships
- 1478.16 Appeals
- 1478.17 Reserved
- 1478.18 Prevention of demolition by neglect
- 1478.19 Hazardous structures and public nuisances
- 1478.20 Handicapped accessibility provisions
- 1478.21 Judicial review of final decision
- 1478.99 Penalty

**§ 1478.01 PURPOSE.**

The purpose of this chapter is to promote the economic, educational, cultural and general welfare of the city by:

- (A) Providing a municipal process to identify, preserve, protect and enhance the distinctive historic and architectural heritage of the city representing elements of the city's cultural, social, economic, political and architectural history;
- (B) Conserving and improving the value of properties designated as historic landmarks or located within Historic Districts;
- (C) Enhancing the attractiveness of the city to homeowners, visitors, tourists and shoppers and, thereby, supporting business, commerce and industry in the city and providing economic benefits to the city;
- (D) Fostering civic pride in the accomplishments of the past as manifested in properties, structures, improvements and areas of historical and architectural significance within the city;
- (E) Fostering and encouraging the preservation, restoration and rehabilitation of properties, structures, improvements and areas and, thereby, preventing deterioration, dilapidation and blight; and
- (F) Establishing a Historic Preservation Commission.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

**§ 1478.02 HISTORIC PRESERVATION COMMISSION ESTABLISHMENT;  
COMPOSITION; DUTIES.**

(A) There is hereby established in and for the city a commission to be known as the Berwyn Historic Preservation Commission.

(B) The Commission shall consist of seven members, including a Chairperson, to be appointed by the Mayor with the consent of the City Council. Appointment shall be on a staggered basis for terms of three years, beginning on April 1, except that all initial appointments made after the enactment of this chapter will be for such period, not to exceed three years, as is necessary to cause the terms of no more than three members and no fewer than two members to expire in any given year. Members may be re-appointed at any time.

(C) ~~At least five~~All members of the Commission shall have demonstrated expertise in at least one of the disciplines of history, architectural history, art history, architecture, architectural history, historic architecture, engineering, planning, law, real estate, historic preservation or a related field. "Demonstrated expertise" must include at least one of the following:

(1) A graduate degree in one of the enumerated disciplines; or

(2) A bachelor's degree in one of the enumerated discipline plus at least two years of full-time experience in research, writing, teaching, management, or other demonstrable professional activity within an academic institution, historical organization or agency, museum, government agency, or private corporation; or

(2) At least five years of full-time employment experience in one of the enumerated disciplines; or

(3) At least two years in a leadership role in a local, state or national preservation organization, museum, historical society, arts organization, or related organization.

~~A citizen without demonstrated expertise shall have a priority with regard to the appointment of members to the two remaining slots on the Commission, except that all Commissioners shall have a demonstrated interest, competence or knowledge in historic preservation.~~

(D) The Commission shall have the following duties:

(1) To conduct an ongoing survey and inventory for the purpose of identifying those historic landmarks within the city that exemplify the architectural, social, cultural, economic and political history of the city, state or nation;

(2) To receive or make nominations for the designation of historic landmarks and Historic Districts; to review and recommend designation criteria to the City Council; to hold public hearings; and to recommend to the City Council those designations;

(3) To recommend to the City Council the adoption of specific guidelines, based upon the Secretary of the Interior's Standards, to be used in the application of the city's Historic Preservation Ordinance to the alteration, construction, relocation, removal or demolition of the historic landmarks or of properties and/or improvements within Historic Districts;

(4) Upon referral from the Director of Buildings, assist the review of permit applications for alteration, construction, relocation, removal or demolition affecting historic landmarks, and properties and/or improvements in Historic Districts and to request the presentation of the drawings (floor plans, elevations and details), specifications and other information as may be necessary to review those applications;

(5) To approve, modify or deny applications for certificates of appropriateness and certificates of economic hardship for historic landmarks, in accordance with these Codified Ordinances, and to respond to appeals of the decision to the City Council;

(6) Upon referral from the Director of Buildings, assist in the review of proposed zoning amendments, applications for special use permits including planned use developments, subdivisions and applications for zoning variances that affect nominated, proposed or designated historic landmarks and Historic Districts, and may present evidence at public hearing in support or opposition or make recommendations thereon to the Zoning Board of Appeals and City Council;

(7) To recommend to the City Council the adoption of an appropriate system of historically and architecturally compatible streetscape elements, including but not limited to paving materials, curbs, sidewalks, streetlights, street and Historic District signage, and to make recommendations for the design and implementation of the streetscape elements;

(8) To advise the City Council, all city departments, any commission or other agency on matters affecting nominated, proposed or designated historic landmarks or Historic Districts;

(9) To provide general guidance to interested parties on technical and financial aspects of historic preservation and to indicate to the parties that they may only rely upon independent professional advice and consultation as a basis for final decision with regard to these matters;

(10) To advise and assist interested parties on procedures for inclusion in the National and State Registers of Historic Places;

(11) To nominate properties and/or structures, improvements or areas to the National Register of Historic Places;

(12) To encourage the library to maintain preservation-related documents and to keep the materials available for public use;

(13) To inform and educate the citizens of the city concerning the historic and architectural heritage of the city;

(14) To call upon assigned city staff members as well as other expert volunteers for technical advice and assistance;

(15) To request the City Council to retain the specialists or consultants and to request the City Council to appoint the citizen advisory committees as may be required from time to time;

(16) To investigate, review and recommend to the City Council the acceptance of any gifts of property, transferred to the city, or property leased, or owned by the city for the purpose of preserving or enhancing the historically significant aspect of properties, improvements or areas;

(17) To recommend and assist in the application for funds on behalf of the city from federal, state and private sources with the City Council's prior approval, to further the goals of historic preservation herein set forth;

(18) To confer recognition, from time to time, as appropriate, upon owners of historic landmarks or property or structures within Historic Districts by means of award certificates, plaques or markers;

(19) To assume whatever responsibilities and duties may be delegated to it by the City Council with regard to the certified local government provisions of the National Historic Preservation Act of 1966, being 16 U.S.C. § 470, as amended;



(20) To perform, in a timely and thorough manner, all of the duties delegated to the Commission under the Historic Preservation Ordinance set forth in the city code; and

(21) To recommend to the Council adoption of the Commission's Rules and procedures or amendments thereto.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

### **§ 1478.03 DEFINITIONS.**

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them herein below; and words and phrases used in the context of this chapter but not defined herein shall have the meanings ascribed to them in the city code, other than adopted by reference therein. All other words and phrases used in the context of this chapter shall have the commonly understood meanings normally ascribed to them.

**ALTERATION.** Any act or process that changes one or more of the exterior architectural features of property which has been designated as a historic landmark, or in a Historic District under this chapter, or any interior architectural feature of any structure when the interior has been specifically designated as an interior historic landmark.

**BUILDING PERMIT.** Any permit required by the Department of Buildings of the city.

**CERTIFICATE OF APPROPRIATENESS.** A certificate issued by the Commission indicating its approval of plans for the alteration, or construction, or relocation of a historic landmark, or the removal or of demolition of a historic landmark or a building, structure or improvement within a Historic District.

**CERTIFICATE OF ECONOMIC HARDSHIP.** A certificate issued by the Commission, after denying a certificate of appropriateness, which authorizes the performance of alterations, construction or relocation with regard to historic landmarks, or the removal or demolition of a historic landmark or a building, structure or improvement within a Historic District when the historic landmarks, or properties within a Historic District, cannot be put to a reasonably beneficial use or the owner cannot obtain a reasonable economic return thereon without the proposed alteration, construction, relocation, removal or demolition.

**COMMISSION.** The Berwyn Historic Preservation Commission.

**COMMISSION STAFF.** An employee of the city assigned by the Mayor as staff to the Commission.

**CONSTRUCTION.** Any act or process which requires a building permit, including the act of adding to a structure by an addition, or the erection of a new principal or accessory structure on a lot or property.

**DAY.** A calendar day, except where otherwise specified herein.

**DEMOLITION.** Any act or process which destroys in part or in whole a landmark or site within a Historic District.

**ELIGIBLE HISTORIC LANDMARK.** Any property and/or improvement nominated for designation as a historic landmark which has been determined by the Commission, after notice and an opportunity to be heard for the owner(s), nominators and other interested parties in accordance with § 1478.07 herein, to be eligible for designation by resolution and recommendation of the Commission to the City Council, but which has not yet been so designated by the City Council.

**EXTERIOR ARCHITECTURAL FEATURES.** The architectural character and general composition of the exterior of a structure or improvement, including the kind and texture of all the building materials and the type, design and character of all architectural details, including but not limited to windows, walls, roofs, doors, light fixtures, fences, signs and appurtenant elements.

**HISTORIC DISTRICT.** An area with geographically definable boundaries, possessing a significant concentration, linkage or continuity of properties and/or improvements united by past events or aesthetically by plan or physical development that has been designated as Berwyn HISTORIC DISTRICT pursuant to city ordinance. A district may include properties and/or improvements which are individually designated as historic landmarks under this chapter and may also contain other properties and/or improvements which, while not of the individual historical and/or architectural value to be designated historic landmarks, nevertheless contribute to the overall special character or value of the landmark or landmarks located within the District.

**HISTORIC LANDMARK.** Any property and/or improvement which has special character or significant historical, cultural, architectural, archeological, community or aesthetic value as part of the heritage of the city, the state or the United States which has been designated as a Berwyn HISTORIC LANDMARK pursuant to this chapter and shall include all designated interior historic landmarks.

**IMPROVEMENT.** Any visible building feature constituting a physical addition or any part of the addition to a property, including any building, structure, fixture,

bridge, work or art, place, parking facility, fence, gate, wall, landscaping or paving.

**INTERIOR ARCHITECTURAL FEATURES.** The architectural character and general composition of the interior of a structure, including the room design and configuration, color and texture of materials, and the type, pattern and character of all architectural details and elements, including but not limited to staircases, doors, hardware, molding, trim, plaster work, light fixtures and wall coverings.

**INTERIOR HISTORIC LANDMARK.** An interior, or part thereof, which is normally open or accessible to the public and which as a significant historical or aesthetic interest or value as part of the development, heritage or cultural characteristics of the city, state or United States and which has been designated as an interior landmark pursuant to the provisions of this chapter.

**NOMINATED HISTORIC LANDMARK.** A property and/or improvement nominated by an interested party for consideration by the Commission for designation as a historic landmark prior to determination by the Commission that it is eligible for historic landmark designation.

**NON-CONTRIBUTING RESOURCE.** A property and/or improvement located within a Historic District that does not represent significant historical characteristics, which qualify that District as a Historic District under this chapter.

**OWNER.** Owner of record as determined by the office of the Cook County Recorder of Deeds, except where otherwise specified herein.

**PROPERTY.** Land and improvements identified as a separate lot for purposes of the zoning regulations of the city.

**PUBLIC WORKS PROJECTS.** Work carried out by the city for public use or service, including but not limited to the installation, major repair or improvements to the street, curbs and gutters, alleys, sidewalks, public utilizes, streetlights, signs, banners and traffic signals.

**RELOCATION.** Any repositioning of an improvement on the same property upon which it was originally located.

**REMOVAL.** Any moving of an improvement from the property upon which it was originally located.

**REPAIR.** Minor work, which does not require a building permit and which does not affect the architectural feature of an improvement.

**REVIEW.** The process of examining the plans and documents prepared by an owner of property and/or an improvement designated as a historic landmark which describe proposed work on the landmark, which will lead to the decision to grant or deny a certificate of appropriateness or a certificate of economic hardship.

**REVIEW SUBCOMMITTEE.** Subcommittee of no less than three members of the Commission, ~~of which one member need not possess the demonstrated expertise required under § 1478.02(C) of this code for at least five members of the full Commission,~~ appointed by the Chairperson to review documents for certificates of advisory review which shall be issued by the Commission, based upon the Subcommittee's review of the documents and recommendations to the owner. Section 1478.14(C) of this chapter authorizes the Commission to recommend and City Council to adopt amended rules and regulations which would expand Subcommittee and/or Commission staff authority to minimal types of construction and alteration work requiring a certificate of appropriateness.

**SECRETARY OF THE INTERIOR'S STANDARDS.** The Secretary of the Interior's Standards for Guidelines for Rehabilitating Historic Buildings, revised 1990, U.S. Department of the Interior, National Park Service, Preservation Assistance Division, Washington, D.C.

**SITE.** The location of an event, activity, building, structure or improvement.

**STRUCTURE.** Anything constructed or erected the use of which requires permanent or semi-permanent location on or in the ground.

**WORK.** Any construction, alteration, repair, relocation, removal or demolition of an improvement.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

**[Sections on Recognition of Existing Historic Districts and Local Designation of Historic District are moved to § 1478.08 and 09 below]**

## **§ 1478.06-04 CRITERIA FOR DESIGNATION OF HISTORIC LANDMARKS AND INTERIOR HISTORIC LANDMARKS.**

(A) The Commission, in determining whether to recommend for designation, and the City Council, in determining whether to approve designation ~~or of~~ particular sites, structures or improvements as historic landmarks, shall consider the following criteria:

Historical And/or Cultural Importance

(1) Significance as an example of the architectural, cultural, economic, historic or social development or heritage of the city, the state or the United States. "Significance" means the relative importance of the property when viewed in the property's architectural, cultural, economic, historic or social context.

(2) Location as a site of a historic event, with a significant effect on the city, the state or the United States. "Significant" means the relative importance of the effect of the event on the city, the state or the United States.

(3) Identification with a person or persons who significantly contributed to the architectural, cultural, economic, historic or social heritage, or other aspect of the city, the state or the United States.

(4) Existence in the National Register of Historic Places.

(5) Embodiment of those distinguishing characteristics of significant architectural type, or style, or engineering specimen. "Significant" means the relative importance of the architectural type, or style, or engineering specimen.

(6) Identification as the work of a builder, designer, architect, craftsperson, engineer or landscape architect whose individual work is significant in the development of the city, the state or the United States. "Significant" means the relative importance of the builder, designer, architect, craftsperson, engineer or landscape architect.

(7) Contains design elements, detail, material or craftsmanship that make the property or building structurally or architecturally innovative, rare or unique.

(8) Representation of an architectural, cultural, economic, historic or social theme, style or period, expressed in distinctive areas, districts, places, buildings or structures that may or may not be contiguous.

~~—(B) Any site, structure or improvement that meets one or more of the above criteria shall have sufficient integrity of location, design, material and workmanship to make it worthy of preservation or restoration.~~

(B) Principles for Evaluating the Historical and/or Cultural Importance of Proposed Historic Landmarks by the Commission

The Commission, in evaluating all properties for designation as historic landmarks pursuant to any of the criteria above, should apply and be guided by the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, effective September 29, 1983 and revised from time to time thereafter, which are prepared under the authority of sections 101(f) (g), and (h), and section 110 of the



National Historic Preservation Act of 1966, as amended, including, but not limited to, the following principles:

(1) Evaluation requires adequately developed historic contexts, including sufficient information about the appearance, condition and associative values of the property to be evaluated in order to classify it as to property type; compare its features or characteristics with those expected for its property type; and define the physical extent of the property and accurately locate the property.

(2) Evaluation must distinguish between facts and analysis, and must include identification and description of pertinent historical contexts; description of the property and its significance in the historical context; and analysis of the integrity of the property relative to that needed to represent the context.

(3) Where the Commission deems it necessary and feasible, Commissioners should consult with other individuals experienced in applying the relevant criteria; for example, the State Historic Preservation Officer.

(4) Evaluation should not be undertaken using documentation that may be out of date. Prior to proceeding with evaluation the current condition of the property should be determined and previous analyses evaluated in light of any new information.

(5) If the Commission determines that it does not have all the information it needs to conduct an adequate evaluation, it may undertake its own research in order to supplement the nomination to the extent necessary. In cases in which needed information is not obtainable, for example, where historical records have been destroyed, the Commission should acknowledge what information was not obtainable and how that missing information may affect the reliability of the evaluation.

(C) Integrity

(1) In order for the Commission to nominate any site, structure or improvement that meets one or more of the above criteria as a historic landmark, the Commission must additionally determine that it has sufficient integrity of location, design, material and workmanship to make it worthy of preservation or restoration.

(2) "Integrity" means the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic period.

(3) The integrity of the property in its current condition, rather than its likely condition after a proposed treatment, should be evaluated. Factors such as structural problems, deterioration, or abandonment should be considered in the evaluation only if they have affected the integrity of the significant features or characteristics of the property.

(GD) All properties must be designated by ordinance upon the approval of the City Council in ordered to be deemed local historic landmarks.

(Ord. 06-50, passed 11-28-2006)

**§ 1478.07-05 NOMINATION AND PRELIMINARY DETERMINATION OF ELIGIBILITY FOR DESIGNATION AS A HISTORIC LANDMARK OR INTERIOR HISTORIC LANDMARK.**

(A) Submission of nominations. Historic landmark and interior historic landmark nominations may be submitted to the Commission by any person, group of persons or association, including any member of the Commission, on a nomination form provided by the Commission. The nomination form shall include or be accompanied by the following:

(1) The name and address of the owner of the property proposed for designation, including the names of the beneficial owners of the property held in a land trust, where possible;

(2) The legal description and common street address of the property proposed for designation;

(3) An indication of whether or not the owner is in favor of the proposed designation and whether the owner is the nominating party;

(4) A written statement fully describing the property and setting forth reasons in support of the proposed designation;

(5) Photographs of the property or selected properties;

(6) Other information as may be required by the Commission; and

(7) Fee of \$500 waived if submitted by the Commission or at the Commission's discretion.

(B) Commission action.



(1) The Commission shall, upon receipt of a properly completed nomination, immediately notify the office of the City Clerk and City Code Administration Department of the Commission's receipt of the nomination and shall deliver copies of same to the City Clerk's office and Code Administration as soon thereafter as is possible and shall make a preliminary determination of eligibility within 15 days of the receipt of the nomination, or by the Commission's next regularly scheduled meeting, whichever occurs later. A determination by the Commission of preliminary eligibility must be based upon or finding(s) by the Commission that there is a likelihood that a nominated historic landmark will meet one or more of the criteria for designation set forth in § 1478.06-04 of this chapter.

(2) If a majority of the Commission members determines that there is not a likelihood that the nominated historic landmark may meet at least one of the criteria for designation, it shall enter a formal denial of the nomination and so notify the party making the nomination, in writing. A denial shall be the final administrative decision. The Commission may not reconsider the preliminary eligibility of a historic landmark for at least one year following the submission of the original nomination and then only upon further evidence of qualification. The Commission may waive the one-year period if the Commission deems that such action is warranted due to new circumstances or new evidence of eligibility.

(3) If a preliminary determination is made that there is a likelihood that the nominated historic landmark may meet one or more criteria, the Commission shall schedule a designation hearing(s) to be held within 45 days of the preliminary determination and shall send the owner of record written notice of same no less than 15 days in advance of a hearing by regular and certified mail or via some other delivery service that documents receipt, properly addressed to the owner of record as shown in the records of the Recorder of Deeds or Registrar of Titles, whichever is appropriate, and with sufficient postage affixed thereto. If the nominating party is the owner of record, the Commission shall schedule the designation hearing to take place at its next regularly scheduled meeting. Failure to receive notice shall not invalidate the proceedings of the Commission.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

#### **§ 1478.08-06 DESIGNATION HEARING.**

(A) Following a preliminary determination by the Commission that there is a likelihood that a proposed historic landmark may be eligible for designation, the Commission shall conduct hearing(s) and shall notify the party making the nomination and the owner(s) of record of the proposed historic landmark by regular mail, as well as the adjoining property owners, no less than 15 days prior to the date of the hearing. All other parties affected by the proposed historic landmark will be notified by public notice- posted at City Hall and on the City of Berwyn's website

as to the date, time, place and purpose of the public hearing(s). The Commission's notice to the owners of records of the proposed historic landmark shall also include a copy of the nominating petition, any supporting documentation submitted therewith and a form for use by the owner entitled the "Owner(s) of Record Statement of Position" form indicating the owner's support for or opposition to the proposed designation and a brief statement of the reasons therefor. The form shall provide a return address for the Commission and shall direct the owner to return the completed form to the Commission no less than seven days prior to the scheduled hearing. The form shall further indicate that the owner's failure to respond shall be presumed by the Commission to indicate the owner's support for the proposed designation. The owner may rebut this presumption by appearing at the hearing and testifying in opposition to the proposed designation. The Commission shall make every reasonable effort to contact personally or by telephone owner(s) of record who have not returned an executed owner(s) form to explain the designation process and to encourage the return of the signed form.

(B) At the hearing the Commission shall take testimony and receive evidence from the nominators, owner(s) of records, and any other interested parties who wish to be heard and/or present evidence on the application of the criteria for designation, set forth herein above in § 1478.0604, to the proposed historic landmark. The Commission shall hear testimony and receive evidence in accordance with the procedural rules as the Commission may, from time to time, propose and the City Council may from time to time adopt for the purpose of governing the conduct of the hearings before the Commission. The procedural rules set forth in Exhibit B attached to Ordinance 06-50 and incorporated herein by reference, are hereby adopted as the rules of procedure governing the conduct of hearings before the Commission which rules shall be subject to amendment by action of the Commission and the City Council as set forth above.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

#### **§ 1478.09-07 DESIGNATION OF HISTORIC LANDMARKS AND INTERIOR HISTORIC LANDMARKS.**

(A) Within 45 days following completion of the public hearing(s), the Commission shall determine, based on the criteria and evaluation guidelines set forth hereinabove in § 1478.0604, whether to recommend designation of a historical landmark to the City Council and shall deliver to the nominator, the City Council, the City Clerk, the Code Enforcement Department and to the owner(s) of records, a resolution and report recommending designation if a determination has been made by the Commission. The resolution shall require an affirmative vote of a majority of the full Commission to recommend designation to the City Council. The resolution shall be accompanied by a written report summarizing the evidence presented at the hearing, setting forth findings of fact based thereon, and explaining the basis for

the Commission's recommendation. A decision by the Commission not to recommend designation is final and will terminate the designation process. The Commission shall give a reason for denial. The Commission shall notify the owner and nominators of its decision not to recommend designation within 45 days of the completion of the public hearing.

(B) Within ~~30-60~~ days after receiving the resolution and report containing the recommendation for designation from the Commission, the City Council shall take a vote to either designate the historic landmark or reject the nomination by simple majority vote of the full Council. In making this determination, the City Council shall apply the designation standards set forth in § 1478.06-04 above and shall give due consideration to the record of the public hearing(s), and findings and recommendations of the Commission set forth in the Commission's resolution and report and may take public testimony with regard to same. Upon a majority vote of the City Council to approve designation, the City Council shall enact an ordinance designating the historic landmark, which ordinance shall provide that the newly designated historic landmark shall be subject to the provisions of § 1478-11 of these Codified Ordinances.

(C) If the City Council does not take a vote to either designate the historic landmark or reject the nomination within 60 days after receiving the resolution, then the nomination will be deemed to have expired and will be considered denied.

(D) For any nomination that is deemed to have expired and is thus considered denied pursuant to Section (C) above, either the nominating party or the Commission may renew the nomination within 30 days by presenting a renewed resolution to City Council as provided for in Section (A) above. The nominating party and/or the Commission may present up to three consecutive renewed resolutions to City Council for the same nomination. After that number, a new nomination must be prepared, subject to the terms of § 1478.05(B)(2) above.

~~(E)~~ Upon designation of a historic landmark by the City Council, the Commission shall provide written notification by regular mail to the owner(s) of record of the designated historic landmark which notifications shall include a certified copy of the ordinance designating same. The city shall file with the Recorder of Deeds or Registrar of Title of the county, whichever is appropriate, a certified copy of the designation ordinance for each historic landmark designated. A copy of the designation ordinance shall be sent to the City Code Administration Department, the City Clerk's office and the Department of Community Development.

~~(F)~~ Designations may be amended or rescinded by the same procedure and according to the same criteria set forth herein for an original designation.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

**§ 1478.084 RECOGNITION OF EXISTING HISTORIC DISTRICTS.**

Those districts designated as LaVergne Historic District and North Berwyn Historic District by ordinance 95-21 of the City of Berwyn adopted June 13, 1995, ~~as Ordinance 95-21~~ are hereby recognized and reaffirmed as honorary designated Historic Districts within the city. These districts ~~are honorary Historic Districts only and~~ must be designated under the provisions of § 1478.06 ~~this chapter~~ to be considered Historic Districts under this chapter.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

**§ 1478.095 LOCAL DESIGNATION OF A HISTORIC DISTRICT.**

(A) Criteria for Historic District designation.

(1) ~~In addition—Nominations shall be made to the criteria and evaluation procedures set forth in § 1478.04 above, Historic Preservation Commission on a form provided by the Commission. A filing fee may be required.~~ the following additional criteria shall be utilized by the Berwyn Historical Commission in determining whether to designate a Local the designation of Historic District, Districts.

(a) The Historic District contains one or more landmarks along with other buildings, places or areas within its definable geographic boundaries which, while not of historic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located in the Districts;

(b) A significant number of structures meeting any of the standards of § 1478.04 ~~1478.06~~ under landmark designation criteria;

(c) Establishing a sense of time and place unique to the city;

(d) Exemplifying or reflecting the cultural, social, economic, political or architectural history of the nation, the state or the city, city, and/or

~~(2)—~~(e) A preliminary determination as to whether a district ~~or an area~~ meets one or more of the foregoing criteria shall be made within 60 days of the filing of a nomination with the Commission.

(B) Historic District designation procedure.



(1) Petition.

(a) Any person, group of persons or association, including but not limited to the Historical Commission, may present to the Commission a petition requesting that a defined geographic area be designated as a Historic District. ~~Nominations~~  
~~The City Clerk shall supply, upon request, the application forms. Completed forms shall be made to the Historic Preservation Commission on a form provided by the Commission. A filing fee of \$500 is required, but is waived if submitted by to the City Clerk, which shall forward them to the Commission or at the Commission's discretion, for its consideration.~~

(b) The petition shall contain the signatures of no less than 51% of the property owners in the defined geographic area; or, if leaseholders, with a five-year or longer leasehold interest, are signatories to the petition, then the petition shall contain no less than 51% of the property owners and/or leaseholders.

(2) Denial. If a majority of the Commission members determines that there is not likelihood that the nominated Historic District may meet at least one of the criteria for designation, it shall enter a formal denial of the nomination and so notify the party making the nomination, in writing. A denial shall be the final administrative decision. The Commission may not reconsider the preliminary eligibility of a Historic District for at least one year following the submission of the original nomination and then only upon further evidence of qualification. The Commission may waive the one-year period if the Commission deems that such action is warranted due to new circumstances of new evidence of eligibility.

(3) Preliminary determination. If a preliminary determination is made that there is a likelihood that the nominated Historic District may meet one or more criteria, the Commission shall schedule designation hearing(s) to be held within 45 days of the preliminary determination and shall send the applicant or nominator of record a written notice of same no less than 15 days in advance of the hearing by regular and certified mail or via another delivery service that documents receipt. Failure to receive notice shall not invalidate the proceedings of the Commission. A public notice shall be posted at City Hall and on the City of Berwyn's website. The notice shall state the date, time, place and purpose of the public hearing along with the location of the proposed district and a statement summarizing how the proposed district meets the criteria ~~set forth in division (A) above under criteria~~ for historic designation.

~~(34)~~ Designation hearing. At the hearing the Commission shall take testimony and receive evidence from the nominators, owner(s) of record, and any other interested parties who wish to be heard and/or present evidence on the application of the criteria for designation, set forth herein above in division (A) above, to the proposed Historic District. The Commission shall hear testimony and receive evidence in accordance with the procedural rules as the Commission may,

from time to time propose and the City Council may from time to time adopt for the purpose of governing the conduct of such hearings before the Commission. The procedural rules set forth in Exhibit B attached to Ordinance 06-50 and incorporated herein by reference, are hereby adopted as the rules of procedure governing the conduct of hearings before the Commission, which rules shall be subject to amendment by action of the Commission and the City Council as set forth above.

(45) Designation of a Historic District. Procedures for the designation of a Historic District will follow procedures established in § 1478.09-07 changing references of landmarks to districts. ~~Criteria in division (A) of this section supersedes reference to § 1478.06.~~

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

**§ 1478.10 WORK REQUIRING THE ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS OR A CERTIFICATE OF ECONOMIC HARDSHIP.**

(A) No building permit, demolition permit, or any other work requiring the issuance of a building or demolition permit or the authorization of an alteration by the Building Department regarding property in any designated historic district, and/or any eligible or designated historic landmark shall commence prior to such issuance or authorization in accordance with this section.

(B) Public works projects within designated historic districts or affecting eligible or designated historic landmarks shall require consultation with the Commission at the next regularly scheduled Commission meeting following the authorization of the public works project. In emergency situations as established by the city definition and ordinance, or where time constraints otherwise require the immediate commencements of such projects, work may commence prior to the consultation with the Commission.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

**§ 1478.11 ZONING AND SUBDIVISION ACTIONS AFFECTING ANY NOMINATED, ELIGIBLE OR DESIGNATED HISTORIC LANDMARKS OR DESIGNATED HISTORIC DISTRICTS.**

(A) The Building Director shall notify the Commission, within three working days of submission to the Department, of all applications for zoning amendments, variances, special use permits, subdivision or planned unit developments affecting property in any designated historic district, and any eligible or designated historic landmarks.



(B) In furtherance of its duties as set forth in § 1478.02 of these Codified Ordinances, the Commission shall evaluate the anticipated effect of the action requested in the application on the designated historic district or nominated, eligible or designated historic landmark(s) and shall consider the long-term compatibility of the proposed action with the character of the affected historic resources and the effect of any proposed zoning action on the long range preservation of these resources. In its review, the Commission shall also consider the criteria specified in § 1478.13 of this chapter.

(C) In no event shall the provisions of this section preclude the necessity of obtaining a certificate of appropriateness or a certificate of economic hardship when required under ~~§ 1478.14 or § 1478.15~~ of these Codified Ordinances.

(D) In the case of the alteration, demolition or removal of an eligible historic landmark, the building or demolition permit shall be issued or the alteration authorized upon the denial of designation of historic landmark status by the City Council; provided, however, that if the site, building, structure or improvement which has been denied landmark status is located within a designated Historic District, then the issuance of a building or demolition permit shall also be contingent upon satisfying the requirements set forth herein for property located within a designated Historic District.;

(E) In the case of a demolition or removal of an eligible or designated historic landmark or any site, building, structure or improvement located within a designated Historic District, or listed in the National Register of Historic Places which is wholly or partially financed by the city or by one or more federal, state or city funding sources which are dispersed through or administered by the city, the demolition permit shall be issued upon the authorization of a permit by formal resolution of the City Council as being necessary to protect the public health, safety or welfare; or

(F) In the case of the a) alteration or removal of an eligible or designated historic landmark; b) the alteration, demolition or removal of a site, building, structure or improvement located in a designated Historic District or listed in the National Register of Historic Places which is wholly or partially funded by the city or by one or more federal, state or city funding sources which are dispersed through or administered by the city; c) or the removal or demolition of any building, structure or improvement located within a designated Historic District for which demolition has not been authorized under § 1478.10(A) above, the building or demolition permit shall be issued or the alteration shall be authorized upon the issuance of a certificate of appropriateness in accordance with § 1478.14 set forth hereinbelow or a certificate of economic hardship in accordance with § 1478.15 set forth herein below.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

**§ 1478.12 ACQUISITION OR USE OF PUBLIC PROPERTY.**

(A) The City Clerk's Office shall advise the Commission, in a timely manner, of all proposed or pending acquisitions, sales or changes in the use by the city or by any other public agency, including any other unit of local government, when known to the city of any property designated as a historic landmark, or located in a Historic District. The Commission shall advise the City Council, other appropriate public agency or other unit of local government, as to the effects of the actions on the special historic architectural, community or aesthetic interest or value of the properties to the city.

(B) The Commission shall request that other public agencies serving the community agree to advise the Commission of pending acquisitions, sales or changes by the agencies in use of property designated as a historic landmark, or located in a Historic District, in order that the Commission may advise the agencies as to the impact of actions on the historic, architectural, community or aesthetic interest or value of the properties to the city. The Commission shall take appropriate steps to notify all public agencies which own or may acquire property in the city about the existence and character of designated historic landmarks and Historic Districts, and the Commission shall provide a current record of the landmarks and districts to the public agencies for their maintenance.

(Ord. 06-50, passed 11-28-2006)

**§ 1478.13 REVIEW CRITERIA FOR CERTIFICATE OF APPROPRIATENESS AND CERTIFICATE OF ADVISORY REVIEW.**

(A) Guidelines for construction, alteration and relocation work. In making a determination to issue or deny a certificate of appropriateness for construction, alteration or relocation work affecting an eligible or designated historic landmark, or a determination to conduct an advisory review and either approve or make recommendations with regard to construction or relocation work on property located in a designated Historic District, either the Commission or the City Council, when considering an appeal, shall consider the effect of the proposed construction, alteration or relocation on the architectural features and on the historic, aesthetic or architectural value, characteristics and significance of the eligible or designated historic landmark or designated Historic District.

(B) Determination. In making a determination whether to issue a certificate of appropriateness or a certificate of advisory review, the Commission or the City Council when considering an appeal, shall follow the Secretary of the Interior's Standards, revised 1990, as amended ~~herein~~, and other criteria and guidelines as

the Commission may recommend, and which the City Council may adopt, for use by the Commission or the City Council when considering an appeal. The criteria shall include but are not limited to the following:

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment;

(2) The significant original qualities and/or historic character of a property shall be retained and preserved. The removal or alteration of historic or distinctive architectural materials or features and spaces that characterize a property shall be avoided;

(3) Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken;

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved;

(5) Distinctive features, finishes and construction techniques or examples of craftsmanship that characterizes a historic property shall be preserved;

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of distinctive features, the new feature shall match the old in design, inherent and not renewable color, texture and other visual qualities and materials. Materials where possible replacement of missing features shall be substantiated by documentary, physical or pictorial evidence;

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;

(8) Significant archaeological resources affected by a project shall be protected and preserved. If the resources must be disturbed, mitigation measures shall be undertaken;

(9) The historic and architectural integrity of the property and its environment shall be protected by making the new work compatible with the existing structures, surrounding structures, streetscape or the character of the Historic District, whenever one or more of these elements is affected by the work, with respect to the following design criteria:

- (a) The height of the alteration, addition or construction;
- (b) Proportions between the width and heights of structure's front facade;
- (c) The proportions and relationships between doors and windows;
- (d) Relationship of building masses and the open space around them;
- (e) The design of the roof shapes, forms and materials;
- (f) Landscaping and appurtenances, which should also be sensitive to the individual structure, its occupants and their needs;
- (g) The scale of the proposed structure;
- (h) Dominant horizontal or vertical directional expression of front elevation or additional elevation; and
- (i) Architectural style, design, details and materials, including textures and patterns but not necessarily color.

(10) New additions and adjacent or related new construction shall be undertaken in a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(C) Guidelines for removal or demolition of historic landmarks, or buildings, structures or improvements located within a Historic District. Guidelines to be used by the Commission, or by the City Council when considering an appeal, in making a determination of appropriateness of the removal or demolition of a landmark or a building, structure or improvement in a Historic District shall include but not be limited to the guidelines set forth in division (A) hereinabove. Certificates of appropriateness for the removal or demolition of a building, structure or improvement in a Historic District shall be granted by the referenced criteria, if the proposal is for the removal or demolition of a noncontributing resource.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

#### **§ 1478.14 PROCEDURES FOR CERTIFICATE OF APPROPRIATENESS.**

(A) Preapplication. Any owner of a historic landmark may, at any time, request the Commission to make a preliminary review of proposed work in order to determine whether the proposed work will meet the criteria set forth herein. The



Commission may, on a basis of documents and other materials presented, make a preliminary finding of acceptability, which may then be used by the Commission to expedite the processing of a certificate of appropriateness after the owner has applied for a building permit and/or a certificate of appropriateness. The Commission will issue the certificate of appropriateness only if the work described on the permit documents submitted by the owner to obtain the permit is found to be substantially the same as that which was preapproved. If, during the preapplication review, the Commission finds that the proposed work does not meet the criteria, the Commission may advise the owner on possible ways to meet the criteria.

(B) Application. Any application for a building permit and/or Certificate of Appropriateness for construction, alteration or relocation affecting an eligible or historical landmark or the removal of a building, structure or improvement from a property within a designated Historic District, and any application for a demolition permit for the demolition of an eligible or designated historic landmark or for the demolition of a building, structure or improvement in a designated Historic District shall be sent by the City Clerk, within three working days of receipt, to the Commission. At the time of receipt of the application(s), the City Clerk shall issue to the applicant a historic preservation guidelines pamphlet prepared by or made available by the Commission, which summarizes the preservation requirements and preservation assistance available in the city with regard to the historic landmarks and Historic Districts. The Building Director shall not issue a building permit or shall not authorize the issuance of a permit or any alternations until a certificate of appropriateness or certificate of economic hardship has been issued.

(C) Subcommittee and Commission staff review and issuance of certificate of appropriateness.

(1) The Commission may propose and the City Council may adopt rules, procedures and criteria under which a Subcommittee of the Commission and/or Commission staff may approve applications for certificates of appropriateness when the proposed work involves:

- (a) Restoration to original conditions;
- (b) No changes in materials;
- (c) Changes not visible from the street; or

(d) Other types of activities determined by the Commission to have limited effect on the historic, architectural or aesthetic qualities or landmarks or districts.

(2) The rules, procedures and criteria, if adopted, shall provide that the Subcommittee or Commission staff shall act within five working days from receipt of the application by the Commission to review, approve and issue a certificate of appropriateness, or to refer the application to the full Commission for its consideration.

(D) Commission review. If rules, procedures and criteria are adopted providing for Subcommittee and/or staff issuance of certificates of appropriateness under certain limited circumstances, applications which would not meet the criteria for Subcommittee or staff review under division (C) herein, shall be referred to the Commission by the Subcommittee or Commission staff, or applications which have been denied a certificate of appropriateness by Subcommittee or Commission staff shall be referred to the Commission. Except as otherwise provided for in rules and procedures adopted in accordance with division (C) herein, all applications for certificates of appropriateness shall be referred directly to the full Commission for review. The Commission shall review the completed application and supporting information within 30 days of receiving same, either from a subcommittee or directly from the City Clerk. The applicant shall be notified, in writing, of the date, time and place of the meeting at which Commission review on the proposed work shall take place. The applicant shall be requested to submit the plans; drawings, photographs or other information the Commission may request to complete its review. Requested information shall not delay the meeting. The notice shall be sent no less than five days before the meeting at which the proposed work is to be reviewed. The applicant may waive the requirement for this five-day advance notice, in writing. A special meeting of the Commission may be called if the application is received more than 15 days before the Commission's next scheduled meeting. A final vote, as to approval or denial, shall be made within 45 days of the receipt of a complete application.

(E) Acceptance of proposed work and issuance of certificate of appropriateness. If, upon review, a majority of the Commission finds the proposed work is in accordance with the applicable criteria set forth in § 1478.13 herein and the purposes of this chapter, it may issue a certificate of appropriateness. The resolution issuing a certificate of appropriateness shall be sent to the applicant, the City Clerk, and the Building Department within five working days after the decision. A certificate of appropriateness shall expire one year after the date of issuance. Any change in the proposed work after issuance of a certificate of appropriateness shall require inspection by Historic Preservation staff to determine whether the work is still in substantial compliance with the certificate of appropriateness. If staff determines that the change in work is not in substantial compliance with the certificate of appropriateness, then the owner must submit a revised application to the Commission for review.

(F) Failure to issue a certificate of appropriateness.



(1) If the Commission finds that the proposed work does not meet the established criteria and, therefore, will adversely affect or destroy any significant historic, aesthetic or architectural feature or value of an eligible or designated historic landmark, or is inappropriate or inconsistent with the spirit and purposes of the chapter, it shall not take action on the application and shall so advise the applicant, the City Clerk and the Building Department, in writing, within five working days of the determination not to act on the application and shall further indicate to the applicant at that time that the applicant may submit an amended application for expedited review or may request a public hearing.

(2) Within the same five-working-day time frame, the Commission shall send a letter to the applicant explaining any changes recommended by the Commission before an amended application may be considered. The letter will address the appropriate review criteria and other points deemed pertinent by the Commission. The applicant may either amend the application or resubmit same for expedited review, or the applicant may request a public hearing on the application. If the applicant submits an amended application and it is determined to conform to Commission recommendations, a certificate of appropriateness may be issued by a majority of a quorum of the Commission.

(G) Public hearing following denial of a certificate of appropriateness. Within 15 days of notice to the applicant to file an amended application or request a public hearing, the applicant may request that the Commission hold a public hearing where additional evidence and testimony may be heard regarding the application for a certificate of appropriateness. The Commission shall hold a public hearing within 45 days of receipt of the written request.

(1) Notice of the date, time, place and purpose of the public hearing shall be sent by regular and certified mail to the applicant (see § 1478.08 to notify adjacent parties) and the notice shall also be published in a newspaper of general circulation in the city. The notice shall be sent and published not less than 15 days nor more than 30 days prior to the date of the hearing. The notice shall include the time and place of the hearing, a general description of the contents of the request to be heard, and the address or location of the property to which the request applies.

(2) At the public hearing, the Commission shall take testimony presented by the applicant and any other interested parties concerning the effect of the proposed alteration, construction, relocation, removal or demolition upon an eligible or designated historic landmark, or the effect of the proposed removal or demolition of any structure, building or improvement within a Historic District upon the district, and shall conduct the hearings in a manner consistent with the Rules of Procedure for Hearings Before the Historic Preservation Commission adopted herein and made a part hereof and as may be amended from time to time, by action of the

Commission and the City Council. The hearing may be continued to a date certain, with the concurrence of the applicant.

(3) Within 15 days following the completion of the public hearing, the Commission shall issue or deny the certificate of appropriateness. Notice of the Commission's decision will be sent to the applicant and owner, the City Clerk and the Building Director within five working days of rendering the decision. Notification procedures outline under § 1478.08 of this chapter will apply.

(H) Appeal to the City Council. Upon denial of the application for a certificate of appropriateness by the Commission, the applicant may appeal the denial to the City Council or may request a certificate of economic hardship.

(Ord. 06-50, passed 11-28-2006)

#### **§ 1478.15 PROCEDURES FOR CERTIFICATE OF ECONOMIC HARSHIPS.**

(A) Application. Following denial of a certificate of appropriateness by the Commission or by the City Council on appeal, the owner or designated representative may apply for a certificate of economic hardship by submitting to the Commission a completed application for a certificate of economic hardship, which form shall be available in the City Hall and in particular, at the office of the City Clerk, the Building Department and/or the City Commission staff.

(B) Public hearing process.

(1) The Commission shall hold a public hearing within 45 days of receipt of a completed application for a certificate of economic hardship. Notice of the public hearing shall be sent by regular and certified mail to the applicant (see § 1478.08 to notify adjacent parties). Notice also shall be published in a newspaper of general circulation in the city. The notice shall be sent not less than 15 days nor more than 30 days prior to the date of the hearing. The notice shall include the time and place of the hearing, a general description of the contents of the request to be heard and the address or location of the property to which the request applies.

(2) At the public hearing, the Commission shall take testimony presented by the owner(s) and any other interested parties concerning the effect of the proposed alteration, construction, relocation, removal or demolition upon the eligible or designated historic landmark or designated Historic District based upon the criteria consistent with the Rules of Procedure for Hearing Before the Historic Preservation Commission, as adopted herein and made a part hereof and as may be amended, from time to time, by action of the Commission and the City Council. The

hearing may be continued to a date certain. A record shall be kept of all proceedings.

(C) Factors. In determining where a certificate of economic hardship should be issued, the factors to be considered by the Commission and the City Council on the issue of economic hardship shall include but are not limited to the following:

(1) A substantial decrease in the fair market value of the property as a result of the denial of the certificate of appropriateness;

(2) A substantial decrease in the pre-tax or after-tax return to owners of record or other investors in the property as a result of the denial of the certificate of appropriateness;

(3) The cost of the proposed construction, alteration, relocation or demolition, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Commission for changes necessary for the issuance of a certificate of appropriateness;

(4) The structural soundness of any structures on the property and their suitability for rehabilitation; and

(5) The economic feasibility of rehabilitation or reuse of the existing structure or improvement on the property in the case of a proposed demolition.

(D) Evidence. The Commission may solicit expert testimony. The applicant may be required to submit evidence at the hearing to support any of the factors, including those listed above, which the applicant believes to have contributed to the economic hardship, which the applicant alleges he or she would suffer if the applicant were not granted a certificate of appropriateness.

(1) Specific information and documentation, which should be presented by the applicant as competent evidence at the hearing may include but not be limited to the following:

(a) The amount paid for the property, the date of purchase and the party from whom purchased (including description of the relationship, if any, between the owner and the person from whom the property was purchased);

(b) The assessed value of the land and improvements thereon according to the two most recent assessments;

(c) Real estate taxes for the previous two years;

- (d) Annual debt service, if any, for the previous two years;
- (e) All appraisals obtained within the previous two years by the owner or applicant in connection with his or her purchase, financing or ownership of the property;
- (f) Any listing of the property for sale or rent, price asked and offers received, if any;
- (g) Any consideration by the owner as to profitable adaptive uses for the property;
- (h) If the property is income-producing, the annual gross income from the property for the previous two years, itemized operating and maintenance expenses for the previous two years, and annual cash flow, if any, during the same period;
- (i) Executed construction agreements or proposals;
- (j) Engineering or architect reports on the structural integrity of the building or structure upon which work is being proposed; and
- (k) Any other information including the income tax bracket of the owner, applicant or principal investors in the property, reasonably necessary for a determination as to whether the property can be reasonably used or yield a reasonable return to present or future owners.

(2) In the event that any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall provide to the Commission a statement of the information which cannot be obtained and describe the reasons why the information cannot be obtained.

(E) Issuance or denial of certificate of economic hardship.

(1) If the Commission finds that the owner and/or applicant has not established that the owner and/or applicant will suffer a demonstrable economic hardship as a result of the denial of a certificate of appropriateness, then the Commission shall deny the application for certificate of economic hardship.

(2) If the Commission makes an initial determination that the applicant has presented a case which may establish that without approval of the proposed work all reasonable use of, or return from, a designated historic landmark will be denied a property owner, but the Commission finds that reasonable alternatives may exist which should be addressed by the applicant, then the application shall be



delayed for a period of no more than 30 days of this period, the Commission shall investigate plans and make recommendations to the owner and the City Council which are intended to provide for reasonable use of, or return from the property, or to otherwise preserve the subject property. During the second 30 days of this period, the applicant will investigate the proposal of the Commission and prove the Commission with written response thereto.

(3) If, at the end of this 60-day period, after reviewing its initial finding and its subsequent proposals and the applicant's response thereto, the Commission finds that without approval of the proposed work the property cannot be put to any reasonable use or the owner cannot obtain a reasonable economic hardship approving the proposed work. If the Commission finds otherwise, it shall deny the application for a certificate of economic hardship. Within 15 days following the completion of the public hearing and within 15 days of the 60-day delay period provided for in this division, if applicable, the Commission shall render its decision on the certificate of economic hardship by adopting a resolution which shall set forth the findings of fact and decision of the Commission either granting or denying the certificate of hardship.

(4) An executed copy of the resolution shall be sent to the applicant and property owner, the City Clerk and the Building Department within five working days after the decision.

(Ord. 06-50, passed 11-28-2006)

#### **§ 1478.16 APPEALS.**

(A) Within 15 days of receipt of a final denial of a certificate of appropriateness or a certificate of economic hardship, the applicant and/or his or her representative may appeal the Commission's decision to the City Council. The City Council, within 45 days of the applicant filing his or her appeal, shall affirm, reverse or modify the decision of the Commission after due consideration of the facts contained in the records, which the Commission shall submit to the City Council within ten working days of the filing of the appeal. The City Council may receive comments on the contents of the record, but shall not consider any new matters that were not presented during the Commission hearings.

(B) The City Council shall, in writing, and within ten days of its decision, advise the applicants and the Commission of its final decision and shall direct the City Council to advise all affected departments of the city government.

(C) The failure of the City Council to affirm, modify or reverse the decision of the Commission within 45 days of the applicant filing his or her appeal shall be considered as an affirmance by the City Council of the decision of the Commission

and a denial of the appeal, and the Commission shall so notify the applicant and the affected departments of the city government.

(D) The decision of the City Council will be the final administrative decision of the city.

(Ord. 06-50, passed 11-28-2006)

**§ 1478.17 RESERVED.**

**§ 1478.18 PREVENTION OF DEMOLITION BY NEGLIGENCE.**

The Commission, on its own initiative, may file a petition with the Building Department requesting that the Department proceed under the public safety and housing ordinance to require correction of defects or repairs to eligible or designated historic landmarks or building, structures or improvements in designated Historic Districts so that the landmarks, buildings, structures or improvements shall be preserved and protected in accordance with the purposes of this chapter and the public safety and housing ordinance.

(Ord. 06-50, passed 11-28-2006)

**§ 1478.19 HAZARDOUS STRUCTURES AND PUBLIC NUISANCES.**

(A) This chapter shall not prohibit the demolition of any structure, which poses an immediate hazard to human health and safety. When an eligible or designated historic landmark or building, structure or improvement in a designated Historic District requires immediate demolition due to its imminent threat to human health and safety, and conditions have been reviewed by a licensed architect or structural engineer and an authorized city official, pursuant to ordinance, who have made the determination that the landmark, building, structure or improvement should be demolished immediately, then nothing in this chapter shall prohibit the demolition of such landmark, building, structure or improvement. The city official ordering the demolition shall, prior to causing the demolition, attempt notification of a designated member of the Commission of the imminent threat posed by the landmarks, building, structure or improvement if the notice may be given without jeopardizing human health and safety. The Chairperson of the Commission shall designate three members of the Commission, any of whom shall be authorized to receive notice of emergency demolition as provided in this section.

(B) If the city has, pursuant to official action, declared a building, structure or improvement that is an eligible or designated landmark or is located in a designated Historic District as a public nuisance and has authorized its demolition, the City Clerk or his or her designee shall have a copy of the declaration of public



nuisance delivered to the chairperson of the Commission, who shall place the matter on the agenda of the next meeting of the Commission. The Commission shall be authorized to review the building, structure or improvement and determine if the owner or some other person can commence rehabilitation of it immediately. The Commission shall ensure that whoever will rehabilitate the building, structure or improvement, shall have either public or private financing, or both, to make sure that the building, structure or improvement is promptly rehabilitated in accordance with the criteria set forth in this chapter. If the Commission is unable to secure the rehabilitation plans of the building, structure or improvement within 90 days of the date that the city obtains judicial authorization to demolish it, whichever is later, then the city may proceed with the demolition of the building, structure or improvement.

(C) An owner of a building, structure or improvement eligible or designated as a landmark or located within a Historic District shall not be authorized to demolish the building, structure or improvement without filing an application for certificate of appropriateness, except when an authorized city official, pursuant to ordinance, has made the determination that the building, structure or improvement poses an imminent threat to human health and safety and should be demolished immediately, under the guidelines of division (A) herein.

(D) If the city has declared an eligible or designated landmark or a building, structure or improvement in a designated Historic District to be a public nuisance and, after the declaration, the owner of the building, structure or improvement files an application for a certificate of appropriateness so the building, structure or improvement may be rehabilitated, the Commission may exercise jurisdiction over the application and the structure until a time as the city obtains judicial authorization to demolish the structure. Once the city has obtained judicial authorization, then the rehabilitation of the structure may proceed only if the City Council consents to withholding its authority to demolish the structure in abeyance while the structure is rehabilitated.

(Ord. 06-50, passed 11-28-2006; Ord. 11-04, passed 1-25-2011)

#### **§ 1478.20 HANDICAPPED ACCESSIBILITY PROVISIONS.**

Nothing in this chapter shall exempt owners from complying with applicable federal, state or city laws concerning handicapped accessibility. In providing for handicapped accessibility as may be required by laws or desire by an owner, every effort shall be made to visually integrate the physical devices as may be necessary to accomplish accessibility with the architectural design of the historic landmark or building, structure or improvement in a Historic District. Emphasis shall be placed on providing readily removable physical accessibility provisions such as ramps or chair lifts, with no permanent damage to the historic fabric of the building.

(Ord. 06-50, passed 11-28-2006)

**§ 1478.21 JUDICIAL REVIEW OF FINAL DECISION.**

Any final decisions rendered by the City Council under this chapter shall be subject to judicial review pursuant to the provisions of the Administrative Review Law, ILCS Ch. 735, Act 5, §§ 3-101 et seq., as amended, and rules adopted pursuant thereto.

(Ord. 06-50, passed 11-28-2006)

**§ 1478.99 PENALTY.**

(A) It shall be unlawful for any person to alter, relocate, remove or demolish any historic landmark or to do construction work on, relocate, remove or demolish any building, structure or improvement within a Historic District, or attempt to take any of these actions without complying with the provisions of this chapter. Persons violating any provision of this chapter other than mandatory advisory review shall also be subject to the institution of proceedings by the city to prevent, strain, abate or correct the violations of this chapter, including restoration of the building or structure and its site to its appearance prior to the violation if the appearance is integral to the significance of the site or structure as determined by the Commission. Any action to enforce this section shall be brought by the City Attorney, his or her designee or by designated representatives of the Building Department. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty contained in this section.

(B) If construction, alteration, relocation, removal or demolition of an eligible or designated historic landmark or of any building, structure or improvement located in a designated Historic District occurs without a permit or without proper authorization as set forth in this chapter, then the city may seek to revoke the license of the company, individual, principal owner, or its or his or her successor(s) interest in performing construction, alteration, relocation, removal or demolition for a period of one year.

(C) If demolition of a historic landmark occurs without a permit, the person causing the demolition shall, upon conviction, be guilty of a misdemeanor offense punishable by incarceration in the county jail for a term not to exceed six months.

(D) Any person violating any provision of this chapter shall, upon conviction, be punished by a fine not to exceed \$1,500. Each day during which any violation hereof is committed shall constitute a separate offense.

(Ord. 06-50, passed 11-28-2006)

**Section 3      SEVERABILITY**

If any provision, clause, sentence, paragraph, section or part of this Chapter or application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this Chapter and the application of such provision to other persons or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved. It is hereby declared to be the legislative intent of the city council that this chapter would have been adopted had such unconstitutional or invalid provisions, clauses, sentences, paragraphs, sections or parts thereof not been included.

**Section 4      SAVINGS CLAUSE**

This Chapter shall not affect violations of any other ordinance, code or regulation of the jurisdiction existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

**Section 5      EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage, approval and publication as afforded by law.

ADOPTED this \_\_\_\_ day of April 2011, pursuant to a roll call vote as follows:

|                | YES | NO | ABSENT | PRESENT |
|----------------|-----|----|--------|---------|
| Chapman        |     |    |        |         |
| Boyajian       |     |    |        |         |
| Paul           |     |    |        |         |
| Skryd          |     |    |        |         |
| Santoy         |     |    |        |         |
| Polashek       |     |    |        |         |
| Avila          |     |    |        |         |
| Laureto        |     |    |        |         |
|                |     |    |        |         |
| (Mayor Lovero) |     |    |        |         |
| TOTAL          |     |    |        |         |

APPROVED by the Mayor on April\_\_\_\_\_, 2011.

\_\_\_\_\_  
Robert J. Lovero  
MAYOR

ATTEST:

\_\_\_\_\_  
Thomas J. Pavlik  
CITY CLERK

The City of Berwyn



Brian L. Pabst  
City Administrator

A Century of Progress with Pride

April 12, 2011

To: City Council and Mayor Robert Lovero  
From: Brian Pabst, City Administrator

RE: Insurance Renewal

Mayor and Council Members:

Please concur with the recommendations made by the city's insurance broker per the presentation at the committee of the whole by approving the following:

1. Surety Bond: \$800
2. Crime insurance: \$12,599 for \$500,000 coverage. (\$1,000,000 coverage would cost \$14,179)
3. Fiduciary for the police pension fund: \$5,116

Total cost of \$18,515

Recommendation to terminate the following policies:

1. Boiler and machinery. Savings of \$10,980
2. Builder's Risk. Savings of \$4,508
3. Current Surety Bond. Savings of \$7,175

**Total savings of \$4,148**

Respectfully,

Brian Pabst  
City Administrator



**Denis O'Halloran**  
*Fire Chief*

**Richard Swade**  
*Assistant Fire Chief*

# BERWYN FIRE DEPARTMENT

6700 W. 26th Street • Berwyn, IL 60402-0701  
708.788.2660 ext 3281  
FAX 708.788.3039 • Emergency 9-1-1



**Mayor Robert J. Lovero**

April 20, 2011

To: Mayor Robert Lovero

Members of City Council

From: Fire Chief Denis O'Halloran

Re: Permission to Contact the Fire & Police Commission to Hire 2 Replacement  
Firefighters/Paramedics & Permission to hire an additional 12 Firefighter/Paramedics.

Honorable Mayor Lovero and Members of City Council,

As you know Council has accepted the Proposal in the Collective Bargaining Agreement to eliminate Paramedic Services of Illinois, our contracted provider for Emergency Medical Services. The Berwyn Fire Department has provided the Emergency Medical services since June of 2010 utilizing the Silver Spanner program and our own Firefighter paramedics. The Fire & Police Commission has completed the recruitment and testing process and has established a final hiring list. The candidates are in the pre-hiring and medical examinations process.

I am requesting permission to hire two (2) replacement firefighters due to recent retirements, and twelve (12) additional firefighter paramedics to provide personnel for our EMS Services. All positions have been planned for in the current budget. The sooner I receive permission to hire the new probationary firefighter/paramedics the greater amount of savings realized with the reduction and or elimination of the Silver spanner program.

In closing I am asking permission to contact the Police & Fire Commission to begin the formal hiring process.

Respectfully submitted,

Fire Chief Denis O'Halloran





**Denis O'Halloran**  
*Fire Chief*

**Richard Swade**  
*Assistant Fire Chief*

Job

## **BERWYN FIRE DEPARTMENT**

6700 W. 26th Street • Berwyn, IL 60402-0701

708.788.2660 ext 3281

FAX 708.788.3039 • Emergency 9-1-1



**Mayor Robert J. Lovero**

April 20, 2011

To: Mayor Robert Lovero  
Members of City Council

From: Fire Chief Denis O'Halloran  
Re: Purchase of Replacement Fire Department Vehicles

Honorable Mayor Lovero & Members of City Council,

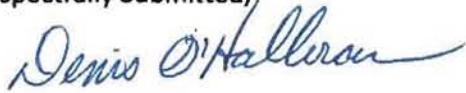
I am requesting permission to enter into two separate contracts to purchase one replacement vehicle and one additional command vehicle for the Berwyn Fire Department. Deputy Chief Sam Molinaro has completed extensive research on these vehicles (His detailed report is attached to this communication). We will be using the Joint Purchasing program for Local Government agencies where the vehicles have already been sent out for the bid process.

It would be my recommendation that we purchase a 2011 Ford Expedition from Sutton Ford (the awarded bidder) for a cost of \$29,959.00. Other dealers were contacted and cannot compete with this bid. This vehicle will be used as a command vehicle. The current command vehicle will be passed down for use by the Fire Prevention inspectors. The current 1996 Dodge Caravan is available for City uses. This bid price will expire on June 30, 2011.

It would also be my recommendation to purchase the 2011 F-350 pick-up truck from Freeway Ford. Freeway Ford has submitted a bid of \$32,174.00. Freeway Fords bid is \$500.00 less than the awarded bid through the Joint Purchasing program for local Governments. The pick-up truck will be an addition to our fleet. This utility pick-up truck will be used to pull the Fire Safety trailer and for other fire department tasks. Currently we do not have a vehicle in our fleet equipped to pull the safety trailer safely. We have been using the graffiti removal truck to tow the trailer. The cutoff date for ordering the pick-up truck is May 6, 2011.

I am requesting permission to purchase both vehicles at the above mentioned prices of \$29,959.00 and \$32,174.00 before the cutoff dates of May 6, 2011 and June 30, 2011. There is an extended wait period for delivery due to the Earthquake in Japan. Both Vehicles were planned for and approved in the 2011 Budget under Capital Outlay Line Item along with the cost for Emergency lighting and lettering. Should you have any questions regarding this matter feel free to contact me.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Denis O'Halloran". The signature is fluid and cursive, with a long horizontal stroke at the end.

Fire Chief Denis O'Halloran

To: Denis O'Halloran, Fire Chief

From: Sam Molinaro, Deputy Fire Chief

Re: Utility Vehicle Purchases

Date: April 19, 2011

During the process of preparing the Fire Department budget for 2011, we discussed the possibility of acquiring two new vehicles, one being a replacement for a current vehicle (912), and the other being an additional vehicle added to our fleet. These (capital) expenditures were included in the final budget presented to, and approved by City Council as part of the 2011 FD budget.

The first vehicle, a 2011 Ford F-350 Super Cab (seating for six) heavy duty pickup truck is the proposed addition to the FD fleet. This vehicle will be used as a multipurpose utility vehicle. Some expected uses include; towing the MABAS Division 11 and BFD resources currently stored at our facilities, transporting additional personnel and equipment in a safe manner to the scene of emergency incidents, and possibly used for snow removal at our facilities with the possible future purchase of a plow. The cost of this vehicle is \$32,174.00 and is available through Freeway Ford, Lyons, IL. The cost is \$500 less than what is available through the Suburban Purchasing Cooperative (SPC) Currie Motors Frankfort, IL (vendor awarded contract) for the exact same vehicle. This price is available through May 6, 2011 at which time the price will increase. Letter attached from Freeway Ford.

Currently we use a vehicle that is not designed or meant to transport multiple personnel (up to six at times) belted in, with equipment stored in a safe manner, i.e. Unit 912 (1996 Dodge Caravan). 912 has been used mainly for Fire Prevention, but we have been forced to also use it as a utility vehicle. Using this vehicle as a multipurpose vehicle also forces Fire Prevention to reschedule appointments for inspections, as we don't have a vehicle for Inspectors to use.

As you are aware, 912 does not have the capability to tow anything. This becomes a problem since we either must borrow a vehicle from the BPD if available, or shuffle personnel around in vehicles to allow for towing equipment. This does not allow for timely responses to emergency incidents. Even with shuffling personnel, we don't currently have access to a vehicle which will tow the Division 11 Fire Safety Trailer. Unit 912 is rapidly approaching the end of its lifespan as an emergency vehicle due to its age and condition.

The second proposed purchase is a 2011 Ford Expedition, which will replace Unit 909 a 2005 Chevy Impala which currently serves as the Assistant Fire Chiefs car. The 2005 Impala will be used as the new Fire Prevention vehicle (912), replacing the 1996 Dodge Caravan described above. The cost of this vehicle is \$29,959.00 and is available through the Suburban Purchasing Cooperative (SPC). The SPC's contract with Sutton Ford, Matteson IL (vendor awarded contract) expires June 30, 2011. The cost for a 2012 vehicle is expected to rise, so a decision must take place shortly if we are to proceed with this purchase. See attached letter from Sutton Ford.

Additional costs to outfit these vehicles (emergency lighting, lettering, and radio's) have also been budgeted for in the 2011 FD Budget.



**Denis O'Halloran**  
*Fire Chief*

**Richard Swade**  
*Assistant Fire Chief*

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## **BERWYN FIRE DEPARTMENT**

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FAX 708.788.3039 • Emergency 9-1-1



**Mayor Robert J. Lovero**

April 20, 2011

To: Mayor Robert Lovero  
  
Members of City Council

From: Fire Chief Denis O'Halloran

John Novacek Director City of Berwyn Department of Homeland Security & Emergency  
Management Agency

Anthony Bertuca City of Berwyn Law Department

Re: City of Berwyn Comprehensive Emergency Operation Plan

Ladies & Gentleman,

Please be advised that the Berwyn Fire Department and City of Berwyn Department of Homeland Security & Emergency Management Agency have completed our review and updates of comprehensive emergency Operations Plan. The Berwyn Police Department, IT Department, Public Works Department and the Berwyn Township Health Department all have assisted with this review and additions to the plan. On the advice of the Law Department this document contains privileged information and is therefore declared to be a **"CLASSIFIED DOCUMENT."**

This Comprehensive plan will be filed with the Administrator of Cook County - Office of Emergency Management and is in conformance with the Title 29, Chapter 1, Subchapter b, Part 205 of the *Illinois Revised Statutes*, regulating local emergency plans. Before we file this with Cook County the plan must be approved by Berwyn City Council. For security purposes, this updated plan will be available for review by Elected Officials in the Office of Thomas J. Pavlik, the City Clerk. We are respectfully requesting your approval of this updated plan.

Please see the attached the Certificate of Acceptance Authentication which will be filed with The Plan.

Should you have any question regarding this communication please feel free to contact the Fire Chief or Mr. Bertuca of the Law Department.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Denis O'Halloran". The signature is fluid and cursive, with the first name "Denis" and last name "O'Halloran" clearly distinguishable.

Fire Chief Denis O'Halloran





## CERTIFICATION OF ACCEPTANCE

We, the undersigned, have read our respective parts of the City of Berwyn Emergency Operations Plan. We accept the duties and responsibilities assigned to us, and acknowledge the relationships herein established. We further agree to provide the necessary resources, both personal and materials, to perform the assigned tasks identified in this plan.

### Berwyn Agencies

|                                               |               |
|-----------------------------------------------|---------------|
| _____<br>Mayor                                | _____<br>Date |
| _____<br>Treasurer                            | _____<br>Date |
| _____<br>Fire Department                      | _____<br>Date |
| _____<br>Police Department                    | _____<br>Date |
| _____<br>Building Commissioner                | _____<br>Date |
| _____<br>Public Works Department              | _____<br>Date |
| _____<br>Director of Recreation               | _____<br>Date |
| _____<br>Director of Information Technologies | _____<br>Date |

## AUTHENTICATION

### SECTION 1

If any section, clause, or provision of this plan shall be held invalid, their validity thereof shall not affect any other provision of this plan.

### SECTION 2

All regulations or parts of regulations or ordinances conflicting with any of the provisions of this plan, shall be immediately repealed.

### SECTION 3

This Comprehensive Emergency Operations Plan shall be in full force and effect from the date of its approval, as provided by law.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2010.

By:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Emergency Services Coordinator

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date  
(City Seal)



**Denis O'Halloran**  
*Fire Chief*

**Richard Swade**  
*Assistant Fire Chief*

## **BERWYN FIRE DEPARTMENT**

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708.788.2660 ext 3281  
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**Mayor Robert J. Lovero**

April 19, 2011

To: Mayor Robert Lovero

Members of City Council

From: Fire Chief Denis O'Halloran

Re: Red Cross Hero Award for Gold Shift 3rd Platoon & Lt. James Wojnarowski & Firefighter William Glaser.

On April 10, 2010 the Berwyn Fire Department was dispatched to a report of a fire in an apartment at 1907 S. Euclid Ave Berwyn A multi-unit large apartment complex. With the efforts of the entire Gold Shift during the course of the fire a primary search for victims was conducted. Lieutenant James Wojnarowski and Firefighter EMT William Glaser assigned to a primary search function. During the course of their search they found two victims unconscious and barely breathing. The victims a father and his son were removed from the hazardous atmosphere and brought to the on duty Emergency Medical unit on the scene. Both victims that were rescued from the fire, recovered from their injuries fully.

The Berwyn Fire Department's Gold Shift which was included all members work on shift that day were submitted for two separate regional award recognition applications, one for the Red Cross and one for the one Hundred Club Valor award. Representatives from the Berwyn Fire Department were chosen and came in first place for the American Red Cross of Greater Chicago 2011 Heroes Award in the Firefighter category. Lieutenant James Wojnarowski and Firefighter EMT William Glaser were chosen for this award. They represented the Fire Department and accepted the award on behalf of the

Department. The events of this fire are another fine example of the dedication and team work that helps accomplished our mission statement of protecting lives and property for the Citizens of Berwyn.

I would like to thank the Mayor and the members of City Council for supporting our efforts and allowing us to obtain our goals and follow our mission statement. Without your support the Berwyn Fire Department could not meet our goals.

Please accept this as informational proposes.

Respectfully submitted,

A handwritten signature in blue ink that reads "Denis O'Halloran". The signature is written in a cursive style with a large, stylized 'D' and a long, sweeping underline.

Chief Denis O'Halloran



Civil Engineers/  
Municipal Consultants

## *Frank Novotny & Associates, Inc.*

825 Midway Drive ♦ Willowbrook, IL ♦ 60527 ♦ Telephone: (630) 887-8640 ♦ Fax: (630) 887-0132

April 21, 2011

Hon. Mayor & City Council  
City of Berwyn  
6700 West 26th Street  
Berwyn, Illinois 60402

Re: **Roosevelt Road T.I.F. Alley Improvements**

Mesdames & Gentlemen:

Enclosed is a copy of the "Tabulation of Bids" for the bids that were received and opened for the above-captioned project at 10:00 a.m. on April 20, 2011. Ten (10) bids were received and checked for accuracy, with only one computational error being found, which was corrected. This correction, however, did not affect the resultant low bidder.

The low bidder was Kings Point, LLC submitting a bid in the amount of \$73,550.00, which was \$19,478.00 (20.94%) below the Engineer's Estimate of \$93,028.00.

Kings Point, LLC has performed well for the City on similar type projects in the past. Therefore, we recommend that the Contract be awarded to **Kings Point, LLC, 920 County Line Road, Bensenville, IL 60106** in the amount of **\$73,550.00**.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

**FRANK NOVOTNY & ASSOCIATES, INC.**

John E. Fitzgerald, P.E.

JEF/kes  
Enclosure

cc: Mr. Robert Schiller, Director of Public Works, w/Encl.  
File No. 11052



Page 1 Of 4

PROJECT NO: 11052

| Item No |  | Description                                                                            | Unit | Quantity | Unit Price                                                                  | Amount    | Unit Price                                                                    | Amount    | Unit Price                                                                         | Amount    | Unit Price                                                                           | Amount    | Unit Price                                                                             | Amount    | Unit Price                                                                  | Amount    | Unit Price | Amount    |
|---------|--|----------------------------------------------------------------------------------------|------|----------|-----------------------------------------------------------------------------|-----------|-------------------------------------------------------------------------------|-----------|------------------------------------------------------------------------------------|-----------|--------------------------------------------------------------------------------------|-----------|----------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------|-----------|------------|-----------|
|         |  |                                                                                        |      |          | Kings Point<br>920 County Line Road<br>Bensenville, IL 60108<br>5% Bid Bond |           | J. Nardulli Concrete<br>3617 S. 60th Court<br>Cicero, IL 60604<br>5% Bid Bond |           | Robert R. Andrews & Sons<br>3701 S. 61st Avenue<br>Cicero, IL 60604<br>5% Bid Bond |           | G&M Cement Construction<br>58 W. Commercial Road<br>Addison, IL 60101<br>5% Bid Bond |           | D/Land Construction<br>500 S. County Line Road<br>Bensenville, IL 60108<br>5% Bid Bond |           | MYS, Inc.<br>7801 W. Deerwood Drive<br>Palmer Park, IL 60454<br>5% Bid Bond |           |            |           |
| 1       |  | Earth Excavation                                                                       | C.Y. | 210      | 40.00                                                                       | 8,400.00  | 25.00                                                                         | 5,250.00  | 33.00                                                                              | 6,930.00  | 25.00                                                                                | 5,250.00  | 40.00                                                                                  | 8,400.00  | 37.40                                                                       | 7,875.00  | 40.00      | 8,400.00  |
| 2       |  | Porous Gravel Embankment                                                               | C.Y. | 20       | 40.00                                                                       | 800.00    | 35.00                                                                         | 700.00    | 30.00                                                                              | 600.00    | 30.00                                                                                | 600.00    | 40.00                                                                                  | 800.00    | 40.00                                                                       | 800.00    | 25.00      | 500.00    |
| 3       |  | Trench Backfill, Compacted                                                             | C.Y. | 20       | 35.00                                                                       | 700.00    | 30.00                                                                         | 600.00    | 32.00                                                                              | 640.00    | 25.00                                                                                | 500.00    | 44.00                                                                                  | 880.00    | 50.00                                                                       | 1,000.00  | 25.00      | 500.00    |
| 4       |  | Exploratory Excavation                                                                 | C.Y. | 20       | 50.00                                                                       | 1,000.00  | 100.00                                                                        | 2,000.00  | 20.00                                                                              | 400.00    | 40.00                                                                                | 800.00    | 40.00                                                                                  | 800.00    | 60.00                                                                       | 1,200.00  | 10.00      | 200.00    |
| 5       |  | Pavement Removal                                                                       | S.Y. | 645      | 12.00                                                                       | 7,740.00  | 8.00                                                                          | 5,160.00  | 11.00                                                                              | 7,095.00  | 8.00                                                                                 | 5,160.00  | 13.00                                                                                  | 8,385.00  | 11.00                                                                       | 7,095.00  | 15.00      | 9,675.00  |
| 6       |  | Driveway Pavement Removal                                                              | S.Y. | 43       | 11.00                                                                       | 473.00    | 8.00                                                                          | 344.00    | 10.00                                                                              | 430.00    | 8.00                                                                                 | 344.00    | 13.00                                                                                  | 561.00    | 10.00                                                                       | 430.00    | 14.00      | 602.00    |
| 7       |  | P.C. Concrete Driveway Pavement, 7"                                                    | S.Y. | 65       | 42.00                                                                       | 2,730.00  | 37.00                                                                         | 2,405.00  | 49.00                                                                              | 3,181.00  | 45.00                                                                                | 2,925.00  | 45.00                                                                                  | 2,925.00  | 40.00                                                                       | 2,660.00  | 45.00      | 2,925.00  |
| 8       |  | P.C. Concrete Alley Pavement, 8"                                                       | S.Y. | 620      | 42.00                                                                       | 26,040.00 | 34.00                                                                         | 21,080.00 | 42.00                                                                              | 26,040.00 | 50.00                                                                                | 31,000.00 | 45.00                                                                                  | 28,050.00 | 45.00                                                                       | 26,040.00 | 45.00      | 26,040.00 |
| 9       |  | P.C. Concrete Pavement, 8"                                                             | S.Y. | 25       | 45.00                                                                       | 1,125.00  | 40.00                                                                         | 1,000.00  | 45.00                                                                              | 1,125.00  | 50.00                                                                                | 1,250.00  | 65.00                                                                                  | 1,625.00  | 54.00                                                                       | 1,350.00  | 45.00      | 1,125.00  |
| 10      |  | Pavement Replacement - Surface Course, 3"                                              | S.Y. | 20       | 35.00                                                                       | 700.00    | 32.00                                                                         | 640.00    | 30.00                                                                              | 600.00    | 25.00                                                                                | 500.00    | 45.00                                                                                  | 900.00    | 63.00                                                                       | 1,260.00  | 35.00      | 700.00    |
| 11      |  | Pavement Removal and Replacement, 8" P.C. Concrete Base and 3" Hot Mix Asphalt Surface | S.Y. | 10       | 60.00                                                                       | 600.00    | 60.00                                                                         | 600.00    | 150.00                                                                             | 1,500.00  | 80.00                                                                                | 800.00    | 100.00                                                                                 | 1,000.00  | 100.00                                                                      | 1,000.00  | 80.00      | 800.00    |
| 12      |  | Curbing Membrane and Protective Coat                                                   | S.Y. | 800      | 1.25                                                                        | 1,000.00  | 1.00                                                                          | 800.00    | 1.00                                                                               | 800.00    | 1.00                                                                                 | 800.00    | 1.00                                                                                   | 800.00    | 1.40                                                                        | 1,120.00  | 1.50       | 1,200.00  |
| 13      |  | Sodding                                                                                | S.Y. | 10       | 10.00                                                                       | 100.00    | 5.00                                                                          | 50.00     | 15.00                                                                              | 150.00    | 5.00                                                                                 | 50.00     | 12.00                                                                                  | 120.00    | 30.00                                                                       | 300.00    | 15.00      | 150.00    |
| 14      |  | Seeding, Special                                                                       | S.Y. | 10       | 8.00                                                                        | 80.00     | 40.00                                                                         | 400.00    | 15.00                                                                              | 150.00    | 4.00                                                                                 | 40.00     | 7.00                                                                                   | 70.00     | 20.00                                                                       | 200.00    | 15.00      | 150.00    |
| 15      |  | Topsoil, Fertilizer and Peat, 4"                                                       | S.Y. | 270      | 5.50                                                                        | 1,485.00  | 3.00                                                                          | 810.00    | 5.00                                                                               | 1,350.00  | 4.00                                                                                 | 1,080.00  | 4.75                                                                                   | 1,282.50  | 6.00                                                                        | 1,620.00  | 4.00       | 1,080.00  |
| 16      |  | Combination Curb and Gutter Removal                                                    | FOOT | 110      | 5.00                                                                        | 550.00    | 5.00                                                                          | 550.00    | 5.00                                                                               | 550.00    | 4.00                                                                                 | 440.00    | 4.25                                                                                   | 467.50    | 5.00                                                                        | 550.00    | 5.00       | 550.00    |
| 17      |  | Combination Concrete Curb and Gutter, Type 3-6-12                                      | FOOT | 110      | 18.00                                                                       | 1,980.00  | 15.00                                                                         | 1,650.00  | 15.00                                                                              | 1,650.00  | 18.00                                                                                | 1,980.00  | 15.00                                                                                  | 1,650.00  | 15.00                                                                       | 1,650.00  | 30.00      | 3,300.0   |

# TABULATION OF BIDS

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OWNER: City of Berwyn  
PROJECT DESCRIPTION: Roosevelt Road T.I.F. Alley Improvements

PROJECT NO: 11052

BID OPENING: April 20, 2011 @ 10:00 a.m.

|                               |                                |      |          | Engineers Estimate |                  | Kings Point<br>520 County Line Road<br>Bensenville, IL 60106<br>5% Bid Bond |                   | J. Nardulli Concrete<br>3517 S. 60th Court<br>Clear, IL 60804<br>5% Bid Bond |                  | Robert R. Andreas & Sons<br>3701 S. 61st Avenue<br>Clear, IL 60804<br>5% Bid Bond |                  | G&M Cement Construction<br>69 W. Commercial Road<br>Addison, IL 60101<br>5% Bid Bond |                  | O'Land Construction<br>800 S. County Line Road<br>Bensenville, IL 60106<br>5% Bid Bond |                  | MYS, Inc.<br>7801 W. Deenwood Drive<br>Palos Park, IL 60464<br>5% Bid Bond |                   |
|-------------------------------|--------------------------------|------|----------|--------------------|------------------|-----------------------------------------------------------------------------|-------------------|------------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------|------------------|--------------------------------------------------------------------------------------|------------------|----------------------------------------------------------------------------------------|------------------|----------------------------------------------------------------------------|-------------------|
| Item No                       | Description                    | Unit | Quantity | Unit Price         | Amount           | Unit Price                                                                  | Amount            | Unit Price                                                                   | Amount           | Unit Price                                                                        | Amount           | Unit Price                                                                           | Amount           | Unit Price                                                                             | Amount           | Unit Price                                                                 | Amount            |
| 38                            | Gas Boxes to be Adjusted       | EACH | 2        | 300.00             | 600.00           | 100.00                                                                      | 200.00            | 180.00                                                                       | 360.00           | 300.00                                                                            | 600.00           | 500.00                                                                               | 1,000.00         | 500.00                                                                                 | 1,000.00         | 65.00                                                                      | 130.00            |
| 39                            | Inlet Filters                  | EACH | 3        | 100.00             | 300.00           | 300.00                                                                      | 900.00            | 75.00                                                                        | 225.00           | 250.00                                                                            | 750.00           | 120.00                                                                               | 360.00           | 250.00                                                                                 | 750.00           | 135.00                                                                     | 405.00            |
| 40                            | Guard Posts                    | EACH | 4        | 500.00             | 2,000.00         | 400.00                                                                      | 1,600.00          | 500.00                                                                       | 2,000.00         | 350.00                                                                            | 1,400.00         | 800.00                                                                               | 3,200.00         | 550.00                                                                                 | 2,200.00         | 800.00                                                                     | 3,200.00          |
| 41                            | Supplemental Watering          | UNIT | 10       | 50.00              | 500.00           | 100.00                                                                      | 1,000.00          | 10.00                                                                        | 100.00           | 100.00                                                                            | 1,000.00         | 0.01                                                                                 | 0.10             | 50.00                                                                                  | 500.00           | 1.00                                                                       | 10.00             |
| 42                            | Traffic Control and Protection | L.S. | 1        | 2,000.00           | 2,000.00         | 2,500.00                                                                    | 2,500.00          | 1,000.00                                                                     | 1,000.00         | 1,000.00                                                                          | 1,000.00         | 1,000.00                                                                             | 1,000.00         | 1,500.00                                                                               | 1,500.00         | 2,000.00                                                                   | 2,000.00          |
| 43                            | Insurance Privileges-Complete  | L.S. | 1        | 2,000.00           | 2,000.00         | 800.00                                                                      | 800.00            | 4,000.00                                                                     | 4,000.00         | 1,800.00                                                                          | 1,800.00         | 1,000.00                                                                             | 1,000.00         | 2,000.00                                                                               | 2,000.00         | 2,500.00                                                                   | 2,500.00          |
| <b>Totals:</b>                |                                |      |          |                    | <b>93,022.00</b> |                                                                             | <b>73,650.00</b>  |                                                                              | <b>84,641.00</b> |                                                                                   | <b>85,980.00</b> |                                                                                      | <b>86,070.10</b> |                                                                                        | <b>99,814.00</b> |                                                                            | <b>102,106.00</b> |
| <b>Bid Error Corrections:</b> |                                |      |          |                    |                  |                                                                             |                   |                                                                              |                  |                                                                                   |                  |                                                                                      |                  |                                                                                        |                  |                                                                            |                   |
| 5 Pavement Removal            |                                |      |          |                    |                  |                                                                             |                   |                                                                              |                  |                                                                                   |                  |                                                                                      |                  |                                                                                        |                  | 7,029.00                                                                   |                   |
| <b>Total</b>                  |                                |      |          |                    |                  |                                                                             |                   |                                                                              |                  |                                                                                   |                  |                                                                                      |                  |                                                                                        |                  | <b>97,614.00</b>                                                           |                   |
| <b>Corrected Totals ---</b>   |                                |      |          |                    |                  |                                                                             | <b>73,650.00</b>  |                                                                              | <b>84,641.00</b> |                                                                                   | <b>85,980.00</b> |                                                                                      | <b>86,070.10</b> |                                                                                        | <b>97,814.00</b> |                                                                            | <b>102,106.00</b> |
| <b>Over / Under ----</b>      |                                |      |          |                    |                  |                                                                             | <b>-19,476.00</b> |                                                                              | <b>-8,197.00</b> |                                                                                   | <b>-7,048.00</b> |                                                                                      | <b>2,042.10</b>  |                                                                                        | <b>4,556.00</b>  |                                                                            | <b>9,077.00</b>   |
| <b>Percent ----</b>           |                                |      |          |                    |                  |                                                                             | <b>-26.34%</b>    |                                                                              | <b>-9.80%</b>    |                                                                                   | <b>-8.20%</b>    |                                                                                      | <b>2.38%</b>     |                                                                                        | <b>4.66%</b>     |                                                                            | <b>8.90%</b>      |

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PROJECT NO : 11052

| Item No |                                                                                        |      | Description |        | Unit       | Quantity | Engineers Estimate |        | Triggi Construction<br>P.O. Box 236<br>West Chicago, IL 60186<br>5% Bid Bond |        | Landmark Contractors<br>11916 W. Main Street<br>Huntley, IL 60142<br>6% Bid Bond |        | Schroeder & Schroeder<br>7306 Central Park<br>Skokie, IL 60076<br>6% Bid Bond |        | A. Lamp Concrete<br>1800 Wright Blvd.<br>Schaumburg, IL 60183<br>5% Bid Bond |        |
|---------|----------------------------------------------------------------------------------------|------|-------------|--------|------------|----------|--------------------|--------|------------------------------------------------------------------------------|--------|----------------------------------------------------------------------------------|--------|-------------------------------------------------------------------------------|--------|------------------------------------------------------------------------------|--------|
|         |                                                                                        |      | Unit Price  | Amount | Unit Price | Amount   | Unit Price         | Amount | Unit Price                                                                   | Amount | Unit Price                                                                       | Amount | Unit Price                                                                    | Amount | Unit Price                                                                   | Amount |
| 1       | Earth Excavation                                                                       | C.Y. | 210         | 40.00  | 8,400.00   | 49.00    | 8,400.00           | 32.50  | 6,825.00                                                                     | 40.00  | 8,400.00                                                                         | 35.00  | 7,350.00                                                                      |        |                                                                              |        |
| 2       | Porous Granular Embankment                                                             | C.Y. | 20          | 40.00  | 800.00     | 35.00    | 700.00             | 47.00  | 940.00                                                                       | 36.00  | 720.00                                                                           | 35.00  | 700.00                                                                        |        |                                                                              |        |
| 3       | Trench Backfill, Compacted                                                             | C.Y. | 20          | 35.00  | 700.00     | 40.00    | 800.00             | 37.50  | 750.00                                                                       | 45.00  | 900.00                                                                           | 35.00  | 700.00                                                                        |        |                                                                              |        |
| 4       | Exploratory Excavation                                                                 | C.Y. | 20          | 50.00  | 1,000.00   | 40.00    | 800.00             | 65.00  | 1,300.00                                                                     | 35.00  | 700.00                                                                           | 35.00  | 700.00                                                                        |        |                                                                              |        |
| 5       | Pavement Removal                                                                       | S.Y. | 545         | 12.00  | 7,740.00   | 20.00    | 12,900.00          | 11.30  | 7,417.50                                                                     | 15.00  | 9,675.00                                                                         | 15.00  | 9,675.00                                                                      |        |                                                                              |        |
| 6       | Driveway Pavement Removal                                                              | S.Y. | 45          | 11.00  | 495.00     | 20.00    | 900.00             | 12.85  | 569.25                                                                       | 12.00  | 540.00                                                                           | 15.00  | 675.00                                                                        |        |                                                                              |        |
| 7       | P.C. Concrete Driveway Pavement, 7"                                                    | S.Y. | 85          | 42.00  | 2,730.00   | 50.00    | 3,250.00           | 47.00  | 3,565.00                                                                     | 64.00  | 3,510.00                                                                         | 50.00  | 3,250.00                                                                      |        |                                                                              |        |
| 8       | P.C. Concrete Alley Pavement, 8"                                                       | S.Y. | 620         | 42.00  | 25,040.00  | 50.00    | 31,000.00          | 68.50  | 30,270.00                                                                    | 83.00  | 39,610.00                                                                        | 85.00  | 34,100.00                                                                     |        |                                                                              |        |
| 9       | P.C. Concrete Pavement, 8"                                                             | S.Y. | 25          | 45.00  | 1,125.00   | 60.00    | 1,250.00           | 51.00  | 1,275.00                                                                     | 70.00  | 1,750.00                                                                         | 55.00  | 1,375.00                                                                      |        |                                                                              |        |
| 10      | Pavement Replacement - Surface Course, 3"                                              | S.Y. | 20          | 35.00  | 700.00     | 50.00    | 1,000.00           | 36.00  | 720.00                                                                       | 68.00  | 1,360.00                                                                         | 50.00  | 1,000.00                                                                      |        |                                                                              |        |
| 11      | Pavement Removal and Replacement, 6" P.C. Concrete Base and 3" Hot-Mix Asphalt Surface | S.Y. | 10          | 90.00  | 900.00     | 100.00   | 1,000.00           | 105.00 | 1,050.00                                                                     | 110.00 | 1,100.00                                                                         | 100.00 | 1,000.00                                                                      |        |                                                                              |        |
| 12      | Curing Membrane and Protective Coat                                                    | S.Y. | 900         | 1.25   | 1,125.00   | 1.00     | 900.00             | 2.00   | 1,800.00                                                                     | 1.00   | 900.00                                                                           | 2.00   | 1,800.00                                                                      |        |                                                                              |        |
| 13      | Seeding                                                                                | S.Y. | 10          | 10.00  | 100.00     | 50.00    | 500.00             | 60.00  | 600.00                                                                       | 25.00  | 250.00                                                                           | 10.00  | 100.00                                                                        |        |                                                                              |        |
| 14      | Seeding, Special                                                                       | S.Y. | 10          | 8.00   | 80.00      | 25.00    | 250.00             | 20.00  | 200.00                                                                       | 10.00  | 100.00                                                                           | 10.00  | 100.00                                                                        |        |                                                                              |        |
| 15      | Topsoil, Furnish and Place, 4"                                                         | S.Y. | 170         | 5.50   | 935.00     | 10.00    | 1,700.00           | 8.00   | 1,360.00                                                                     | 5.00   | 850.00                                                                           | 4.00   | 680.00                                                                        |        |                                                                              |        |
| 16      | Combination Curb and Gutter Removal                                                    | FOOT | 110         | 5.00   | 550.00     | 5.00     | 550.00             | 18.00  | 1,760.00                                                                     | 5.00   | 550.00                                                                           | 4.00   | 440.00                                                                        |        |                                                                              |        |
| 17      | Combination Concrete Curb and Gutter, Type B-S-12                                      | FOOT | 110         | 18.00  | 1,980.00   | 20.00    | 2,200.00           | 34.00  | 3,740.00                                                                     | 20.00  | 2,200.00                                                                         | 25.00  | 2,750.00                                                                      |        |                                                                              |        |
| 18      | Curb Removal                                                                           | FOOT | 80          | 5.00   | 400.00     | 5.00     | 400.00             | 18.00  | 1,280.00                                                                     | 5.00   | 400.00                                                                           | 5.00   | 400.00                                                                        |        |                                                                              |        |
| 19      | Concrete Curb, Type 2, Special                                                         | FOOT | 80          | 17.00  | 1,360.00   | 15.00    | 1,200.00           | 26.00  | 2,080.00                                                                     | 15.00  | 1,200.00                                                                         | 35.00  | 2,800.00                                                                      |        |                                                                              |        |
| 20      | P.C. Concrete Garage Alley Ramps                                                       | FOOT | 50          | 12.00  | 600.00     | 10.00    | 500.00             | 20.00  | 1,000.00                                                                     | 20.00  | 1,000.00                                                                         | 25.00  | 1,250.00                                                                      |        |                                                                              |        |
| 21      | Storm Sewers, Type 2 (PVC SDR 26), 8"                                                  | FOOT | 70          | 50.00  | 3,500.00   | 50.00    | 3,500.00           | 64.00  | 4,480.00                                                                     | 75.00  | 5,250.00                                                                         | 85.00  |                                                                               |        |                                                                              |        |

**TABULATION OF BIDS**

Page 4 Of 4

OWNER: City of Berwyn  
PROJECT DESCRIPTION: Roosevelt Road T.I.F. Alley Improvements

PROJECT NO : 11052

BID OPENING: April 20, 2011 @ 10:00 a.m.

|                               |                                |      |          | Engineers Estimate |                  | Trigg Construction<br>P.O. Box 235<br>West Chicago, IL 60186<br>5% Bid Bond |                   | Landmark Contractors<br>11816 W. Main Street<br>Huntley, IL 60142<br>5% Bid Bond |                   | Schroeder & Schroeder<br>7308 Central Park<br>Skokie, IL 60076<br>5% Bid Bond |                   | A. Lamp Concrete<br>1900 Wright Blvd.<br>Schaumburg, IL 60193<br>5% Bid Bond |                   |            |        |            |        |
|-------------------------------|--------------------------------|------|----------|--------------------|------------------|-----------------------------------------------------------------------------|-------------------|----------------------------------------------------------------------------------|-------------------|-------------------------------------------------------------------------------|-------------------|------------------------------------------------------------------------------|-------------------|------------|--------|------------|--------|
| Item No                       | Description                    | Unit | Quantity | Unit Price         | Amount           | Unit Price                                                                  | Amount            | Unit Price                                                                       | Amount            | Unit Price                                                                    | Amount            | Unit Price                                                                   | Amount            | Unit Price | Amount | Unit Price | Amount |
| 38                            | Gas Boxes to be Adjusted       | EACH | 2        | 300.00             | 600.00           | 150.00                                                                      | 300.00            | 100.00                                                                           | 200.00            | 150.00                                                                        | 300.00            | 353.00                                                                       | 706.00            |            |        |            |        |
| 39                            | Inlet Filters                  | EACH | 3        | 100.00             | 300.00           | 75.00                                                                       | 225.00            | 145.00                                                                           | 435.00            | 175.00                                                                        | 525.00            | 150.00                                                                       | 450.00            |            |        |            |        |
| 40                            | Guard Posts                    | EACH | 4        | 500.00             | 2,000.00         | 500.00                                                                      | 2,000.00          | 443.00                                                                           | 1,772.00          | 750.00                                                                        | 3,000.00          | 1,000.00                                                                     | 4,000.00          |            |        |            |        |
| 41                            | Supplemental Watering          | UNIT | 10       | 50.00              | 500.00           | 1.00                                                                        | 10.00             | 50.00                                                                            | 500.00            | 25.00                                                                         | 250.00            | 1.00                                                                         | 10.00             |            |        |            |        |
| 42                            | Traffic Control and Protection | L.S. | 1        | 2,000.00           | 2,000.00         | 2,000.00                                                                    | 2,000.00          | 4,000.00                                                                         | 4,000.00          | 3,750.00                                                                      | 3,750.00          | 5,000.00                                                                     | 5,000.00          |            |        |            |        |
| 43                            | Insurance Provisions-Complete  | L.S. | 1        | 2,000.00           | 2,000.00         | 5,000.00                                                                    | 5,000.00          | 1,000.00                                                                         | 1,000.00          | 2,100.00                                                                      | 2,100.00          | 5,000.00                                                                     | 5,000.00          |            |        |            |        |
| <b>Totals:</b>                |                                |      |          |                    | <b>93,028.00</b> |                                                                             | <b>102,495.00</b> |                                                                                  | <b>103,521.75</b> |                                                                               | <b>115,515.00</b> |                                                                              | <b>119,890.00</b> |            |        |            |        |
| <b>Bid Error Corrections:</b> |                                |      |          |                    |                  |                                                                             |                   |                                                                                  |                   |                                                                               |                   |                                                                              |                   |            |        |            |        |
| <b>Corrected Totals ---</b>   |                                |      |          |                    |                  |                                                                             | <b>102,495.00</b> |                                                                                  | <b>103,521.75</b> |                                                                               | <b>115,515.00</b> |                                                                              | <b>119,890.00</b> |            |        |            |        |
| <b>Over / Under ----</b>      |                                |      |          |                    |                  |                                                                             | <b>9,497.00</b>   |                                                                                  | <b>10,483.75</b>  |                                                                               | <b>23,487.00</b>  |                                                                              | <b>26,832.00</b>  |            |        |            |        |
| <b>Percent ----</b>           |                                |      |          |                    |                  |                                                                             | <b>10.18%</b>     |                                                                                  | <b>11.28%</b>     |                                                                               | <b>23.25%</b>     |                                                                              | <b>28.95%</b>     |            |        |            |        |

5-10  
**The City of Berwyn**



**Robert J. Lovero**  
**Mayor**

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

April 21, 2011

Dear Mayor and  
Members of the City Council:

Attached you will find the resolution that we wish to have approved for this year's Bond Cap allocation. We were notified by IHDA that they would not be interested in receiving this year's allocation. As a result, we are going to request the Bond Cap on behalf of the City of Berwyn with the anticipation of pooling our bond cap with other similar communities to offer to developers for the generation of projects that would be beneficial to all.

Also attached are the guidelines and procedures as generated by the State of Illinois governing this activity. For this year our bond cap is set at \$ 4,718,080.00.

Thank you for your consideration in this matter.

Very truly yours:

Robert E Dwan, Director  
Community Development

## **RESOLUTION AUTHORIZING APPLICATION FOR GRANT OF PRIVATE ACTIVITY BOND ALLOCATION**

**WHEREAS**, there exist within the borders of the City of Berwyn, Illinois (the "Municipality"), a recognized need for decent, safe, Sanitary and well-constructed and maintained housing which persons of moderate income can afford; and

**WHEREAS**, the Municipality is a home rule unit of local government Pursuant to Article VII of the Illinois Constitution of 1970 and as such a home rule unit, the Municipality receives an annual allocation of private activity bond volume cap (" VOLUME CAP") pursuant to Section 146 of the Internal Revenue Code of 1986, as amended from time to time ("The Code"); and

**WHEREAS**, the city of Berwyn currently has projects in the planning stages, which projects may require the issuance of the Bonds, including but not limited to neighborhood revitalization and affordable housing programs for low and moderate income households.

**NOW THEREFORE, BE IT RESOLVED**, by the Berwyn City Council of the Municipality. That the City of Berwyn does hereby reserve unto itself its entire annual allocation of Volume Cap Allocation for issuance of private activity bonds to be used for neighborhood revitalization and affordable housing programs for low and moderate income households.

### **BE IT FURTHER RESOLVED as follows:**

- (A) That this Resolution shall take effect immediately upon its adoption;.
- (B) From and after the adoption of this resolution, the proper officials, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of this Resolution or to effectuate the purpose hereof.

---

**ROBERT J. LOVERO, MAYOR**

---

**THOMAS J. PAVLIK – CITY CLERK**



# STATE OF ILLINOIS



## GUIDELINES AND PROCEDURES

### FOR THE

## ALLOCATION OF PRIVATE ACTIVITY BONDING AUTHORITY

### IN ACCORDANCE WITH THE TAX REFORM ACT OF 1986

### AND 30 ILCS 345

## OFFICE OF THE GOVERNOR

*Effective January 1, 2011*

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Questions regarding these guidelines and procedures may be directed to the Debt Management Unit of the Governor's Office of Management and Budget at (217) 782-5886.

## INTRODUCTION

The Federal Tax Reform Act of 1986 (the "Code") as amended, imposes a limit on the aggregate amount of "tax exempt private activity" bonds (also know as "Volume Cap") that can be issued by a state.. While the Code provides an allocation scheme for specific issuing authorities, it also provides that a state may, by law, provide a different formula for allocating the State ceiling among the governmental units in the State having authority to issue such bonds. The State of Illinois ("the State") has adopted procedures for the allocation of Volume Cap pursuant to the Illinois Private Activity Bond Allocation Act, 30ILCS 345 (the "Illinois Allocation Act").

The Governor's Office is the entity charged with authority to allocate Volume Cap among the political subdivisions within the State. In the event of conflict between the Code and Illinois Allocation Act and these "2011 Guidelines and Procedures" (the "Guidelines"), the Code and the Illinois allocation Act shall control. Any matters not covered by the Code or the Illinois Allocation Act or the Guidelines shall be decided by the Governor's Office, and the Governor's Office reserves the right to amend the Guidelines at any time.

These Guidelines are provided by the Governor's Office to assist issuers in understanding how the allocation formula will be administered. They do not represent a binding legal interpretation of either the Code or the Illinois Allocation Act. The Governor's Office will not make a legal determination of the applicability of the Code to an issuer nor will it determine an issuer's compliance under the Code. Issuers should consult their own legal counsel to make these determinations.

The Guidelines require certain issuers to submit requests to the Governor's Office for allocations of Volume cap. In addition, they require issuers within the State to report on reallocations and their use of Volume Cap.

**PLEASE NOTE - ALL REQUESTS AND REPORTING SUBMISSIONS, AS DESCRIBED HEREIN, MUST BE SUBMITTED IN BOTH (I) HARD AND (II) ELECTRONIC FORMATS (ADOBE ACROBAT "PDF") TO THE FOLLOWING ADDRESSES:**

**HARD COPY SUBMISSIONS TO:**

Governor's Office of Management and Budget  
Debt Management Unit - Volume Cap Submission  
603 Stratton Building  
Springfield, IL 62706

**ELECTRONIC (PDF) SUBMISSIONS TO:**

**OMB.VolumeCapRequest2011@illinois.gov**

Please indicate the (i) name, (ii) status of your organization (Home Rule, Non-Home Rule or State Agency) and (iii) type of submission (either a "REPORT" or a "REQUEST") in the "SUBJECT" line of your submission e-mail. Please include the following information for a primary and secondary contact person in the body of each electronic submission (email):

Name  
Title  
Department/Division  
Phone Number  
Email address

**IMPORTANT NOTE -** The time and date stamp of the email will be used for the purpose of determining the order in which the submissions are received unless otherwise noted herein.

## **Calendar Year 2011 State Ceiling and Allocations**

### **2011 State Ceiling – Background and Calculation**

Section 146 of the Code limits the amount of qualified private activity bond debt that may be issued in a state during a calendar year (“the State Ceiling”). Section 146(d) of the Code was amended by H.R. 5662, the “Community Renewal Tax Relief Act of 2000 (the “CRTF Act”),” to specify that beginning in calendar year 2002 the limit shall be the greater of \$75 multiplied by a state’s population or \$225 million. The CRTF Act further specifies that beginning in calendar year 2003 the volume limit may be adjusted annually for inflation. Pursuant to Revenue Procedure 2008-66 published by the Internal Revenue Service, the volume limit on qualified private activity bonds adjusted for inflation for calendar year 2011 is \$95 multiplied by the state’s population.

Section 146(j) of the Code further requires that the calculation of the State Ceiling be based on the most recent resident population estimate released by the U. S. Bureau of the Census before the beginning of the calendar year. On December 29, 2009, the Population Division of the U.S. Census Bureau issued “Table 1: Annual Estimates of the Population for the United States, Regions, States, and Puerto Rico: April 1, 2000 to July 1, 2009 (NST-EST2009-01)” which reports Illinois’s estimated population as **12,910,409**.

Illinois 2011 State Ceiling is **\$1,226,488,856.00** (\$95 x 12,910,409).

### **Allocations**

Pursuant to the Statute, the table below denotes the initial allocation of the 2011 State Ceiling.

|                            |                    |
|----------------------------|--------------------|
| Home Rule Units            | \$760,851,390.00   |
| Non-Home Rule Units        | 232,818,733.00     |
| State Agencies/Authorities | 232,818,733.00     |
| Total                      | \$1,226,488,856.00 |

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## HOME RULE UNITS

### Allocation

#### *January 1 Benchmark*

As described in "2011 State Ceiling – Background and Calculation" above, each Home Rule community is allocated an amount equal to \$95.00 multiplied by its population and Cook County, as a Home Rule county, is allocated an amount equal to \$95.00 multiplied by the population of its unincorporated area. Based on the most recent US Census estimates the total amount for all Home-Rule units has been determined to be \$760,851,390.00. Appendix C attached identifies the list of Home Rule units and the population count used by the Governor's Office for the volume cap allocation. Special census estimates or other estimates for individual municipalities are not recognized by the Governor's Office.

During the period from January 1, 2011 through May 1, 2011 Home Rule units may not apply to the State for an allocation under the Illinois Allocation Act. Rather, Home Rule units must determine and monitor their own private activity bond limits as provided in the Illinois Allocation Act. Please see reporting requirements detailed below in "Home Rule Reporting".

#### *June 1 Benchmark*

Of the total amount available to each Home Rule unit of government with less than 2,000,000 inhabitants, the amount that has not been granted, transferred, or reserved by Home Rule units for specific projects or purposes as of May 1, 2011, shall be reserved to the Governor's Office on June 1, 2011 (the "home Rule Pool"). From the period of June 1 through July 15, 2011, one-half of the Home rule Pool will be available to all Home Rule units with less than 2,000,000 inhabitants (the remaining half is available for allocation to the State or State Agencies as herein after described).

The Governor's Office will accept Home Rule units' requests for volume cap from the Home Rule Pool beginning on the first State business day on or after June 1, 2011. Requests will be accepted, via the methods described on page 3, only on or after 8:30 a.m., June 1, 2011. No requests can or will be accepted prior to this date and time. **On the first date that applications may be received all applications received between 8:30am and 5pm on such date shall be deemed equally first in line and the Governor's Office shall grant cap as it may determine. If more than one request is received in a day, other than the first day that applications may be submitted, completed requests will be logged in by the time the electronic submission is received, and processed on a first-come, first-granted basis.**

If a determination is made that there is a sufficient amount of allocation remaining in the Home Rule Pool upon a request made, an allocation approval letter will be sent to the applicant. The approval letter will be mailed by first class U.S. Mail to the signator of the application letter. Express mail will be used upon request and at the issuer's expense. The allocation is valid for a period of 60 calendar days from the date of the letter or December 27 of the year of the allocation. This period is set by Illinois Allocation Act and cannot be extended.

#### *July 15 Benchmark*

On and after July 15, 2011, the amount of the unused allocation from the Home Rule Pool shall be available to both Home Rule units of government (with less than 2,000,000 inhabitants) and to State agencies. Requests submitted prior to July 15 that are not completely fulfilled must be re-filed after July 15 if cap still is requested.

The Governor's Office will accept Home Rule units' requests for volume cap from the Home Rule pool beginning on the first State business day on or after July 15, 2011. Requests will be accepted, via the methods described on page 3, only on or after 8:30 a.m., July 15, 2011. No requests can or will be accepted prior to this date and time. **On the first date that applications may be received all applications received between 8:30am and 5pm on such date shall be deemed equally first in line and the Governor's Office shall grant cap as it may determine.** If more than one request is received in a day, other than the first day that applications may be submitted, completed requests will be logged in by the time the electronic submission is received, and processed on a first-come, first-granted basis.

**Please Note –**

- A completed "Allocation Request Letter" (Appendix A) and a copy of an "Official action", as defined in the Statute, must accompany all request submissions (June 1 or July 15). A submission will not be deemed complete unless a copy of Official action is included in the transmittal.
- No Home Rule unit may be granted more than 10% of the amount of total allocation initially available for Home Rule units for a single project. Home Rule units may submit separate requests for multiple projects. Requests must be for specific projects, not general use. Requests will be processed only for allocation to be used directly by the requesting Home Rule unit. Joint requests from more than one unit or requests from one unit for allocation that will also be used by other units of government will not be considered. Once an allocation is given to a specific unit, the Governor's Office will not object if units pool their allocations and join together in a bond issue as advised by legal counsel.
- The allocation approval letter to Home Rule units of government is valid for a period of 60 calendar days from the date of the letter or through December 31, 2011, whichever date comes first. If an issuer's allocation has expired, it may apply for a new allocation if allocation is still available. Such application will be processed by the Governor's Office in the same manner as any other new application.
- The State, a State agency or Home Rule unit may reallocate all or a portion of its ORIGINAL allocation to a Home Rule Unit, the State, a State agency or a Non Home Rule Unit of local government. Home Rule units may reallocate by official action of their governing body only as to volume cap reserved prior to May 1, 2011. Home Rule units MAY NOT reallocate any allocation granted by the Governor's Office after June 1. Please see "REALLOCATION PROVISIONS" for further details.



## **Home Rule Reporting**

### *Confirmation of Issuance*

Pursuant to Section 7 of the Illinois Allocation Act, any Home Rule unit utilizing Volume Cap (regardless of its source) is required to report, within 10 calendar days of issuance, the following:

- (a) Name of the Issuer;
- (b) Principal amount of the issue;
- (c) Purpose for which the private activity bonds were issued;
- (d) The amount, if any, used to refund any prior issue of private activity bond; and
- (e) IRS 8038

A form of the "Confirmation of Bond Issuance" letter is provided in Appendix A.

If the amount of bonds issued as stated in the confirmation letter is less than the amount approved for allocation for that project, the amount of unused allocation shall be added to the remaining pool allocation available. This "lapsed" volume cap will be offered first to all issuers who have requested volume cap whose requests were not completely fulfilled, in the order that such requests were initially filed. If more than one request was initially filed at the same time, the order of filing will be randomly assigned for purposes of offering lapsed cap. Volume cap is not considered lapsed unless the issuer or issuer's representative states in writing that all or a portion of the cap will not be used.

### *Mid-Year Reporting*

No later than May 10, 2011, each Home Rule unit with less than 2,000,000 inhabitants must report to the Governor's Office in writing on volume cap (i) granted, (ii) transferred, or (iii) reserved by official action of the unit's governing body prior to May 1, 2011. The form described in Appendix A is provided for this purpose - "Report of Allocation Granted by Home Rule".

Once Volume Cap is properly reserved by a Home Rule unit prior to May 1, 2011, the Governor's Office will not object to the subsequent transfer or reallocation of such cap, or filing of a carry-forward of such volume cap, and no notice to the Governor's Office of any such subsequent action is required. {Please note, however, that Home Rule units must provide notice to the Governor's office, as provided in Section 6 of the Illinois Allocation Act, within fourteen days of said reallocation.}

**Please Note - Copies of "Official Action", as defined in the Illinois Allocation Act, must accompany this reporting submission. Submission will not be deemed complete unless a copy of Official Action is included with the submissions.**

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## NON-HOME RULE UNITS

### Allocation Requests

#### *January 1 Benchmark*

The 2011 allocation of Volume Cap available on or after January 1, 2011 to be issued by Non-Home Rule units of local government is expected to be \$232,818,733.00. Non-Home Rule units are defined as municipalities or counties, other than Home-Rule units. All other forms of government, such as local water districts or airport authorities, must apply for Volume Cap as a State Agency.

The Governor's Office will accept Non-Home Rule units' requests for Volume Cap from the Local Government Pool beginning on the first State business day on or after January 1, 2011 (January 2, 2011). Requests will be accepted, via the methods described on page 3, only on or after 8:30 a.m., January 2, 2011. No requests can or will be accepted prior to this date and time. **On the first date that applications may be received all applications received between 8:30am and 5pm on such date shall be deemed equally first in line and the Governor's Office shall grant cap as it may determine. If more than one request is received in a day, other than the first day that applications may be submitted, completed requests will be logged in by the time the electronic submission received, and processed on a first-come, first-granted basis.**

If a determination is made that there is a sufficient amount of allocation remaining in the total available allocation, an allocation approval letter will be sent to the applicant. The approval letter will be mailed by first class U.S. Mail to the signator of the application letter. Express mail may be used upon request and at the issuer's expense.

#### *July 15 Benchmark*

Of the total amount allocated to Non-Home Rule units, the amount of remaining allocation as of July 14, 2011 (the "Non-Home Rule Pool") shall be reserved to the Governor's Office on July 15, 2011 to be allocated to the State, State agencies or Non-Home Rule units as described in the Illinois Allocation Act. Requests submitted prior to July 15 that are not completely fulfilled must be re-filed on or after July 15 if volume cap is still requested.

The Governor's Office will accept Non-Home Rule units' requests for Volume Cap from the Non-Home Rule Pool beginning on the first State business day on or after July 15, 2011. Requests will be accepted, via the methods described on page 3, only on or after 8:30 a.m., July 15, 2011. No requests can or will be accepted prior to this date and time. **On the first date that applications may be received all applications received between 8:30am and 5pm on such date shall be deemed equally first in line and the Governor's Office shall grant cap as it may determine. If more than one request is received in a day, other than the first day that applications may be submitted, completed requests will be logged in by the time the electronic submission is received, and processed on a first-come, first-granted basis.**

#### **Please Note –**

- A completed "Allocation Request Letter" (Appendix A) and a copy of an "Official Action", as defined in the Illinois Allocation Act, must accompany all request submissions (January 1 or July 15). A submission will not be deemed complete unless a copy of Official Action is included in the transmittal.
- No Non-Home Rule unit may be granted more than 10% of the amount of total allocation initially available to units of local government for a single project. Non-Home Rule units may submit separate requests for multiple projects. Requests must be for specific projects, not general use. Non-Home Rule units do not have

power under statute to transfer or reallocate cap to other Non-Home Rule or Home-Rule units. Requests may be made only for cap that will be used within the Non-Home Rule unit's jurisdiction, as evidenced by such documentation or evidence as the Governor's Office shall request. Letters of Intent from lenders shall be deemed prima facie evidence. Units planning to pool their allocations must certify their intent to comply with this section in their request letter.

- The allocation approval letter is valid for a period of 60 calendar days from the date of the letter. This period is set by the Illinois Allocation Act and cannot be extended.
- Pursuant to Section 6 of Illinois Allocation Act, a Non-Home Rule unit **IS NOT AUTHORIZED TO REALLOCATE** all or any unused portion of its allocation. Direct and indirect reallocations by Non-Home Rule Units are strictly prohibited. This prohibition is discussed more fully in the "Reallocation Provisions" of these Guidelines.
- The proceeds from bonds utilizing Volume Cap allocated to a Non-Home Rule unit pursuant to these Guidelines must be used within the jurisdiction of the Non-Home Rule unit.

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## **Non-Home Rule Reporting**

### *Confirmation of Issuance*

Pursuant to Section 7 of the Illinois Allocation Act, Non-Home Rule units are required to report, within 10 calendar days of issuance, the following:

- (a) Name of the Issuer;
- (b) Principal amount of the issue;
- (c) Purpose for which the private activity bonds were issued;
- (d) The amount, if any, used to refund any prior issue of private activity bond; and
- (e) IRS 8038

A form of the "Confirmation of Bond Issuance" letter is provided in Appendix A.

If the amount of bonds issued as stated in the confirmation letter is less than the amount approved for allocation for that project, the amount of unused allocation shall be added to the remaining pool allocation available. This "lapsed" volume cap will be offered first to all issuers who have requested volume cap whose requests were not completely fulfilled, in the order that such requests were initially filed. If more than one request was initially filed at the same time, the order of filing will be randomly assigned for purposes of offering lapsed cap. Volume cap is not considered lapsed unless the issuer or issuer's representative states in writing that all or a portion of the cap will not be used.

### *Annual Reporting of Housing Projects*

The Illinois Allocation Act requires Non-Home Rule units to provide an annual report of all private activity bonds issued for any housing purposes which utilizes volume cap allocated by the State. Details on the reporting requirement can be located in the Section 7.5 of the Illinois Allocation Act. A form to aid reporting has been provided in Appendix B to these Guidelines. Calendar Year 2011 submissions are to be sent via the instructions set forth on page 3 of these Guidelines by February 1, 2011. An additional copy of this report only must also be submitted to the Illinois Housing Development Authority ("IHDA") at the following address:

Illinois Housing Development Authority  
Attention: General Counsel  
401 North Michigan Avenue  
Chicago, IL 60611

Please Note - Excel version of this form is available for download on our webpage (<http://www.state.il.us/budget/>) for your convenience.

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## STATE AGENCIES

### Allocation Requests

For calendar year 2011 there is expected to be \$232,818,733.00 for use by State Agencies, (the "State Agency Pool"), defined as any State agency, commission, board, authority, or body politic and corporate of the State authorized by law to issue Private Activity Bonds, other than a Non-Home Rule or Home-Rule unit.

The Governor's Office may allocate among all State agencies from the State Allocation Pool available after January 1, 2011 (January 2, 2011). In addition, State agencies may apply beginning on or after the first State business day after June 1, 2011 for the allocation retained by the Governor's Office from the Home-Rule Pool and beginning on or on July 15, 2011 for the allocation retained, if any, from the Non-Home Rule Pool. Requests submitted prior to June 1 which are not completely fulfilled and requests submitted prior to July 15 which are not completely fulfilled must be re-filed after July 15 if cap from the Non-Home Rule pool is requested. Please see "HOME RULE" and "NON-HOME RULE" sections for submission procedures.

### Please Note-

- Requests will be processed only for allocation to be used directly by the requesting State agency. Requests may be requested and granted on a lump-sum by private activity bond category or individual project basis as the Governor's Office may determine. Joint requests from more than one State agency or units of government or requests from one State agency for an allocation that will be used by other units of government will not be considered. Once an allocation is given to a specific State agency, the Governor's Office will not object if units pool their allocations and join together in a bond issue as advised by legal counsel.
- State agencies may submit requests for allocations of any amount. The 10% limit does not apply to State Agencies
- The Governor's Office may consult with State agencies prior to submission of their allocation requests and determine the amount of allocation that shall be requested and approved. The allocation shall be valid through the end of the calendar year.
- State agencies may reallocate their unused allocation in the manner described in "REALLOCATION PROVISIONS" with the approval of the Governor's Office. A State agency that issues bonds after receiving a reallocation from a Home-Rule unit or another State agency shall submit the information described in the "Reporting" section below.
- State agencies also may file a carry-forward of an allocation remaining at the end of one calendar year to the next under certain circumstances, with the approval of the Governor's Office. Issuers should consult their legal counsel with respect to the applicability of this provision to their circumstances

## **State Agency Reporting**

### *Confirmation of Issuance*

Pursuant to Section 7 of the Illinois Allocation Act. State Agencies are required to report, within 10 calendar days of issuance, the following:

- (a) Name of the Issuer;
- (b) Principal amount of the issue;
- (c) Purpose for which the private activity bonds were issued;
- (d) The amount, if any, used to refund any prior issue of private activity bond; and
- (e) IRS 8038

A form of the "Confirmation of Bond Issuance" letter is provided in Appendix A.

If the amount of the bonds issued as stated in the confirmation letter is less than the amount approved for allocation for that project, the unused allocation amount shall be retained by the State Agency unless otherwise directed by the Governor's Office.

### *Annual Reporting of Housing Projects*

Pursuant to the Illinois Allocation Act, State Agencies are required to provide an annual report of all private activity bonds issued for any housing purposes which utilizes volume cap allocated by the State. Details on the reporting requirement can be located in Section 7.5 of the Illinois allocation Act and a form has been provided in Appendix B for submission. Calendar Year 2011 Submissions are to be sent via the instruction set forth on page 3 of these guidelines by February 1, 2011. An additional copy of this report only must also be submitted to the Illinois Housing Development Authority ("IHDA") at the following address:

Illinois Housing Development Authority  
Attention: General Counsel  
401 North Michigan Avenue  
Chicago, IL 60611

Please Note - Excel version of this form is available for download on our webpage (<http://www.state.il.us/budget/>) for your convenience.

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## **REALLOCATION PROVISIONS**

### **Reallocations by the State, a State Agency or a Home Rule Unit**

The State, any State Agency or Home Rule unit may voluntarily reallocate to any Non-Home Rule unit of local government, Home-Rule unit, the State or any State agency all or any portion of its unused allocation. {The State Agency or Home Rule unit reallocating all or a portion of its unused allocation must provide notice to the Governor's office within fourteen days of said reallocation.}

Consistent with the Illinois Allocation Act and these guidelines, entities that issue private activity bonds on the basis of reallocations must submit to the Governor's Office written evidence of such reallocation and a confirmation of bond issuance letter within ten calendar days from the date the bonds are issued.

### **Reallocations by a Non-Home Rule Unit Are Prohibited**

Non-Home Rule units may not reallocate to any issuer. This prohibition applies to direct reallocations and to reallocations attempted via an intergovernmental or other agreement. Allocations made to Non-Home Rule units pursuant to the Illinois Allocation Act and these Guidelines may not be used in an issuance by another governmental entity on behalf of the Non-Home Rule unit or as a surrogate for the Non-Home Rule unit via an intergovernmental or other agreement.

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## **APPENDIX A**

### **STANDARD FORM OF LETTERS**

(Letterhead of Signator)

**ALLOCATION REQUEST LETTER  
FROM ALL ISSUERS**

(Date)

Office of the Governor  
Governor's Office of Management and Budget  
603 Stratton Building  
Springfield, Illinois 62706

ATTENTION: Debt Management Unit

RE: Issuer: \_\_\_\_\_  
Type: (Home-Rule, Non-Home Rule or State agency)  
Maximum Principal Amount: \_\_\_\_\_  
Bond Description: (project, beneficiary, location, type/category of bonds)

Dear Governor Quinn:

In accordance with the Tax Reform Act of 1986 as passed by 99th Congress 2nd Session (1986), as amended, and 30 ILCS 345, the (name of issuer) respectfully requests an allocation for the above-captioned private activity bonds. In preparation for this bond issue to date, all applicable Federal and State requirements have been complied with. A copy of the inducement resolution or similar official action for this issue has been attached herewith.

[(The following is required only of Non-Home Rule units which expect to join other units in a single bond issue as described in the guidelines): I hereby certify that (name of issuer) intends to comply with requirements set forth in the Governor's Office guidelines and will not transfer or reallocate any cap received from the Governor's Office to other Non-Home Rule or Home-Rule units and will use the cap only within our jurisdiction.]

I hereby certify under penalty of perjury, that to the best of my knowledge, the issuance of the Private Activity Bond was or will not be made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

Please forward the allocation approval letter to the undersigned [or to: \_\_\_\_\_]. Bond counsel for these bonds [is expected to be \_\_\_\_\_, who may be reached at [phone number]] [has not yet been selected].

Sincerely,

(name of issuer)

\_\_\_\_\_  
(signature of authorized public official)  
(title)  
(phone number)

[Note: The Bond description cannot be materially changed after submission.]

(Governor's Letterhead)

**BOND ALLOCATION APPROVAL LETTER**

(Date)

Allocation Number (our assigned number)

(name of issuer)

Attention: (Name of Official)

Re: Issuer: \_\_\_\_\_  
Type: (Home-Rule, Non-Home Rule or State agency)  
Maximum Principal Amount: \_\_\_\_\_  
Bond Description: (project, beneficiary, location, type/category of bonds)

Ladies and Gentlemen:

In accordance with the Tax Reform Act of 1986, as amended, and 30 ILCS 345, the above-captioned Issuer has requested an allocation for Private Activity Bonds with respect to the above-captioned bonds. In support of this request, I have been presented with the resolution duly adopted by the Issuer or similar official action with respect to the above-captioned bonds.

I hereby allocate \$\_\_\_\_\_ of the State's 2011 maximum limit on private activity bonds to the above-captioned Issuer.

Pursuant to Section 6 of the Illinois Private Activity Bond Allocation Act, this allocation is only valid if:

- (1) the proceeds from the bonds (the "Bonds") utilizing the bond volume cap are to originate single family mortgages to finance the purchase of homes located within the jurisdiction of the unit local government applying for the bond volume cap, or the costs associated therewith, or, if not so used, applied to redeem the Bonds; and
- (2) the unit of local government is the Issuer of the Bonds.

"Issuer" as used herein is the entity named on the Bonds and obligated for the repayment of the Bonds and does not include an entity for whom bonds have been issued by another party via an intergovernmental or other agreement.

This allocation is valid through and including \_\_\_\_\_. If the above-captioned bonds have not been issued by said date this allocation automatically expires and is available for reallocation.

Sincerely,  
PAT QUINN

Governor

(Letterhead of Signator)

**CONFIRMATION OF BOND ISSUANCE  
TO BE PROVIDED BY ISSUER**

(Date) [Within 10 calendar days of issuance]

Allocation Number: (assigned by us in the allocation approval letter)

Office of the Governor  
Governor's Office of Management and Budget  
603 Stratton Building  
Springfield, Illinois 62706

ATTENTION: Debt Management Unit

Re: Issuer: \_\_\_\_\_  
Type: (non Home-Rule, Home-Rule or State agency)  
Date of Issuance: \_\_\_\_\_  
Principal Amount Issued: \_\_\_\_\_  
Bond Description: (project, beneficiary, location, type/category of bonds)

Dear \_\_\_\_\_:

In accordance with the Tax Reform Act of 1986, as amended, and 30 ILCS 345, the above-captioned Issuer is giving notice that the above-captioned private activity bonds have been issued. With regard to the issuance of these bonds, all applicable federal and state requirements have been complied with. The total allocation provided for this bond issue in the Allocation Approval Letter dated \_\_\_\_\_ was \$ \_\_\_\_\_. The total principal amount actually issued was \$ \_\_\_\_\_ and, therefore, the amount of \$ \_\_\_\_\_ is unused allocation that may be added to the total available allocation.

Sincerely,

(name of issuer)

\_\_\_\_\_  
(signature of authorized public official)  
(title)

**Attachments**

[Note: If the bonds were issued on the basis of a voluntary reallocation of unused allocation or as a result of a carry-forward of allocation from a prior year, this fact should be so stated in this confirmation letter and a copy of the written evidence of such reallocation or carry-forward should be attached.]

(Letterhead of Signator)

**REPORT OF ALLOCATION GRANTED  
BY HOME-RULE UNITS**

(Date) [Due Thursday, May 10, 2011]

Office of the Governor  
Governor's Office of Management and Budget  
603 Stratton Building  
Springfield, Illinois 62706

ATTENTION: Debt Management Unit

Re: Issuer: (Home-Rule unit)  
Total 2011 Volume Cap Allocation: [see list attached to guidelines for  
population, multiplied by \$95.00]

Volume Cap allocations granted, transferred, or reserved by Issuer resolution  
prior to May 1, 2011:

1. Principal Amount of Issue: \_\_\_\_\_  
Bond Description: (Type of bond)  
(Repeat as necessary identify all specific allocations)  
If reallocated to another issuer, state name of issuer: \_\_\_\_\_

Copies of allocation resolutions or ordinances are attached. [Note:  
Memorandums of agreements with businesses need not be attached.]

Total Allocation Granted or Reallocated \$ \_\_\_\_\_

Sincerely,

(name of issuer)

\_\_\_\_\_  
(signature of authorized public official)  
(title)  
(phone number)



## **APPENDIX B**

### **ANNUAL HOUSING REPORT SAMPLE FORM**

(Excel version available for download on GOMB website - <http://www.state.il.us/budget/>)

| Bond Issuer Annual Reporting Form                                                                                                                                                                                                                                                      |                                                                                                                                                                                  |                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| Statutory Requirement (30 ILCS 343/7.8)                                                                                                                                                                                                                                                | Explanation/Detail                                                                                                                                                               | Insert Required Information |
| <b>Information Required for All Bond Issues</b>                                                                                                                                                                                                                                        |                                                                                                                                                                                  |                             |
| Bond Issuer                                                                                                                                                                                                                                                                            | Entity Issuing Bonds:                                                                                                                                                            |                             |
| Person Completing Report (Drafter)                                                                                                                                                                                                                                                     | Name:                                                                                                                                                                            |                             |
| Drafter Contact Information                                                                                                                                                                                                                                                            | Company:                                                                                                                                                                         |                             |
|                                                                                                                                                                                                                                                                                        | Address:                                                                                                                                                                         |                             |
|                                                                                                                                                                                                                                                                                        | Address:                                                                                                                                                                         |                             |
|                                                                                                                                                                                                                                                                                        | City, State, Zip:                                                                                                                                                                |                             |
|                                                                                                                                                                                                                                                                                        | Phone:                                                                                                                                                                           |                             |
|                                                                                                                                                                                                                                                                                        | E-mail Address:                                                                                                                                                                  |                             |
| Reporting Period                                                                                                                                                                                                                                                                       | Calendar Year:                                                                                                                                                                   |                             |
| Date of Report                                                                                                                                                                                                                                                                         | Date (no less than 45 days prior to end of Reporting Period):                                                                                                                    |                             |
| Bond Proceeds Used for Projects and Loans                                                                                                                                                                                                                                              | Percentage of Total Issuance:                                                                                                                                                    |                             |
| Total Cost of Issuance                                                                                                                                                                                                                                                                 | Amount:                                                                                                                                                                          |                             |
| Bond Proceeds Used to Refund Prior Bonds                                                                                                                                                                                                                                               | Amount:                                                                                                                                                                          |                             |
| Unused Proceeds at Time of Report                                                                                                                                                                                                                                                      | Amount:                                                                                                                                                                          |                             |
| Plan for Use of Any Unused Proceeds                                                                                                                                                                                                                                                    | Attach Narrative and Supporting Documentation Showing Commitments to Utilize Proceeds, including timetable for use.                                                              |                             |
| <b>For Multifamily Rental Units Only</b>                                                                                                                                                                                                                                               |                                                                                                                                                                                  |                             |
| Total Number of Developments                                                                                                                                                                                                                                                           | Total:                                                                                                                                                                           |                             |
| Total Number of Units                                                                                                                                                                                                                                                                  | Total:                                                                                                                                                                           |                             |
| Income Levels for All Units (using Area Median Income, or "AMI")                                                                                                                                                                                                                       | No. Units at 30% AMI or less:                                                                                                                                                    |                             |
|                                                                                                                                                                                                                                                                                        | No. Units at 40% AMI:                                                                                                                                                            |                             |
|                                                                                                                                                                                                                                                                                        | No. Units at 50% AMI:                                                                                                                                                            |                             |
|                                                                                                                                                                                                                                                                                        | No. Units at 60% AMI:                                                                                                                                                            |                             |
|                                                                                                                                                                                                                                                                                        | No. Units at 80% AMI:                                                                                                                                                            |                             |
|                                                                                                                                                                                                                                                                                        | No. of Other Restricted Units ( % AMI):                                                                                                                                          |                             |
|                                                                                                                                                                                                                                                                                        | No. of Other Restricted Units ( % AMI):                                                                                                                                          |                             |
|                                                                                                                                                                                                                                                                                        | No. of Other Restricted Units ( % AMI):                                                                                                                                          |                             |
|                                                                                                                                                                                                                                                                                        | Unrestricted (Market Rate):                                                                                                                                                      |                             |
| NOTE: The table of current AMI figures to be used in compiling this information may be found at <a href="http://www.ihda.org/Downloads.aspx">http://www.ihda.org/Downloads.aspx</a> (search "Income Limits") or by calling the Illinois Housing Development Authority at 312-836-5200. |                                                                                                                                                                                  |                             |
| Annual Comprehensive Housing Plan Priorities (see below for priority key)                                                                                                                                                                                                              | Attach detail showing the number units serving the priority populations described below, along with documentation showing efforts to serve Priority Populations, when available. |                             |
| <b>For Single Family Units Only</b>                                                                                                                                                                                                                                                    |                                                                                                                                                                                  |                             |
| Loans and Households Achieving Homeownership with Bond Proceeds                                                                                                                                                                                                                        | Number of Mortgage Loans:                                                                                                                                                        |                             |
|                                                                                                                                                                                                                                                                                        | Number of Households:                                                                                                                                                            |                             |
| Loan Amounts, Actual and Effective Interest Rates                                                                                                                                                                                                                                      | Attach List of Individual Loan Amounts, detailing the actual and effective interest rate for each loan.                                                                          |                             |
| Annual Comprehensive Housing Plan Priorities (see below for priority key)                                                                                                                                                                                                              | Attach detail showing the number units serving the priority populations described below, along with documentation showing efforts to serve Priority Populations, when available. |                             |
| First-time Homebuyers                                                                                                                                                                                                                                                                  | Number:                                                                                                                                                                          |                             |
| Homeownership Counseling                                                                                                                                                                                                                                                               | No. of assisted homeowners who received any homeownership counseling:                                                                                                            |                             |
| <b>Key to Priorities</b>                                                                                                                                                                                                                                                               |                                                                                                                                                                                  |                             |
| Disabled - No. Units Serving People with Disabilities (as defined in the Illinois Comprehensive Housing Plan, found at <a href="http://www.ihda.org">www.ihda.org</a> ; choose "Housing Policy and Planning" in the left margin)                                                       |                                                                                                                                                                                  |                             |
| Extremely Low Income - No. Units Serving Very Low-Income (less than 30% AMI) Households and Families                                                                                                                                                                                   |                                                                                                                                                                                  |                             |
| Homeless - No. Units Serving Homeless People and Families and Those At-Risk of Homelessness                                                                                                                                                                                            |                                                                                                                                                                                  |                             |
| Live Near Work - No. Units Serving Low and Moderate-Income Families and People Unable to Find Affordable Housing Near Employment or Transportation                                                                                                                                     |                                                                                                                                                                                  |                             |
| Preservation - No. of Units for Low-Income Families and People Living in Existing Affordable Housing that is in Danger of Becoming Unaffordable                                                                                                                                        |                                                                                                                                                                                  |                             |
| Very Low Income - No. Units Serving Very Low-Income (31 to 50% AMI) Households and Families                                                                                                                                                                                            |                                                                                                                                                                                  |                             |
| <b>QUESTIONS?????</b>                                                                                                                                                                                                                                                                  |                                                                                                                                                                                  |                             |
| Any questions on how to complete this form should be directed to Charlotte Flickinger at the Illinois Housing Development Authority at 312-836-5200 or TTD 312-836-5222.                                                                                                               |                                                                                                                                                                                  |                             |

**APPENDIX C**  
**POPULATION ESTIMATES**

| <u>Home Rule Unit<sup>1</sup></u> | <u>Population<sup>2</sup></u> |
|-----------------------------------|-------------------------------|
| Addison Village                   | 36,918                        |
| Alsip Village                     | 18,580                        |
| Alton City                        | 29,264                        |
| Arlington Heights Village         | 73,153                        |
| Aurora City                       | 172,950                       |
| Bannockburn Village               | 1,886                         |
| Barrington Hills Village          | 4,375                         |
| Bartlett Village                  | 42,770                        |
| Bartonville Village               | 6,217                         |
| Batavia                           | 27,700                        |
| Bedford Park Village              | 530                           |
| Belleville City                   | 41,285                        |
| Bellwood Village                  | 18,853                        |
| Benton City                       | 6,910                         |
| Berkeley Village                  | 4,885                         |
| Berwyn City                       | 49,664                        |
| Bloomington City                  | 21,858                        |
| Bolingbrook Village               | 74,184                        |
| Bolingbrook Village               | 70,881                        |
| Bridgeview Village                | 15,006                        |
| Bryant Village                    | 242                           |
| Buffalo Grove Village             | 42,852                        |
| Burbank City                      | 27,467                        |
| Burnham Village                   | 3,954                         |
| Cahokia Village                   | 15,103                        |
| Calumet City City                 | 36,619                        |
| Calumet Park Village              | 7,953                         |
| Carbon Cliff Village              | 1,646                         |
| Carbondale City                   | 26,235                        |
| Carlock Village                   | 503                           |
| Carol Stream Village              | 40,041                        |
| Carpentersville Village           | 38,020                        |
| Cartersville City                 | 5,518                         |
| Champaign City                    | 80,286                        |
| Channahon Village                 | 14,048                        |
| Chicago City                      | 2,851,268                     |
| Chicago Heights City              | 30,412                        |
| Chicago Ridge Village             | 13,310                        |
| Christopher City                  | 2,798                         |
| Cicero Town                       | 80,100                        |
| Collinsville City                 | 26,016                        |
| Cook County, Unincorp             | 97,713                        |
| Country Club Hills City           | 16,605                        |
| Countryside City                  | 5,785                         |
| Crainville Village                | 1,362                         |
| Crystal Lake City                 | 42,180                        |
| Danville City                     | 32,467                        |
| Darien City                       | 22,389                        |
| Decatur City                      | 76,199                        |
| Deerfield Village                 | 19,636                        |
| DeKalb City                       | 45,734                        |
| DePue                             | 1,735                         |

| <u>Home Rule Unit<sup>1</sup></u> | <u>Population<sup>2</sup></u> |
|-----------------------------------|-------------------------------|
| Des Plaines City                  | 56,810                        |
| Dolton Village                    | 23,758                        |
| Downers Grove Village             | 49,143                        |
| Du Quoin City                     | 6,303                         |
| East Dundee Village               | 3,149                         |
| East Hazel Crest Village          | 1,527                         |
| East St. Louis City               | 28,753                        |
| Edwardsville City                 | 24,475                        |
| Elgin City                        | 107,519                       |
| Elk Grove Village                 | 33,124                        |
| Elmhurst City                     | 46,314                        |
| Elmwood Park Village              | 23,926                        |
| Elwood Village                    | 2,357                         |
| Evanston City                     | 77,857                        |
| Evergreen Park Village            | 19,237                        |
| Fairview Heights City             | 16,706                        |
| Flora City                        | 4,680                         |
| Forest View Village               | 713                           |
| Freeport City                     | 24,699                        |
| Galesburg City                    | 31,006                        |
| Glendale Heights Village          | 31,877                        |
| Glen Ellyn Village                | 27,236                        |
| Glenview Village                  | 46,207                        |
| Glenwood Village                  | 8,453                         |
| Golf Village                      | 442                           |
| Granite City City                 | 30,695                        |
| Gurnee Village                    | 30,571                        |
| Hanover Park Village              | 36,703                        |
| Harvey City                       | 27,946                        |
| Harwood Heights Village           | 8,009                         |
| Hazel Crest Village               | 13,996                        |
| Herrin City                       | 12,450                        |
| Highland Park City                | 31,516                        |
| Highwood City                     | 5,382                         |
| Hillside Village                  | 8,265                         |
| Hodgkins Village                  | 2,040                         |
| Hoffman Estates Village           | 53,655                        |
| Homer Glen Village                | 26,150                        |
| Hopkins Park Village              | 847                           |
| Inverness Village                 | 7,649                         |
| Jacksonville City                 | 19,214                        |
| Joliet City                       | 147,648                       |
| Kankakee City                     | 26,840                        |
| Lake Barrington Village           | 4,973                         |
| Lake Bluff Village                | 6,223                         |
| Lake Forest City                  | 20,991                        |
| Lake in the Hills Village         | 29,704                        |
| Lansing Village                   | 26,524                        |
| LaSalle City                      | 9,497                         |
| Lincolnshire Village              | 7,956                         |
| Lincolnwood Village               | 11,742                        |
| Manhattan Village                 | 7,345                         |

| <u>Home Rule Unit<sup>1</sup></u> | <u>Population<sup>2</sup></u> |          | <u>Home Rule Unit<sup>1</sup></u> | <u>Population<sup>2</sup></u> |
|-----------------------------------|-------------------------------|----------|-----------------------------------|-------------------------------|
| Marion City                       | 17,460                        |          | Prairie Grove Village             | 2,007                         |
| Mascoutah City                    | 6,797                         | ← 24,903 | Quincy City                       | 40,061                        |
| Maywood Village                   | 236                           |          | Rantoul Village                   | 12,247                        |
| McCook Village                    | 27,165                        |          | Riverdale Village                 | 14,080                        |
| McHenry City                      | 24,903                        |          | Riverwoods Village                | 4,072                         |
| Mettawa Village                   | 516                           |          | Robbins Village                   | 6,330                         |
| Midlothian Village                | 13,577                        |          | Rockdale Village                  | 2,004                         |
| Moline City                       | 43,050                        |          | Rock Island City                  | 38,084                        |
| Monee Village                     | 4,993                         |          | Rolling Meadows City              | 23,324                        |
| Monmouth City                     | 9,244                         |          | Romeoville Village                | 37,997                        |
| Morton Grove Village              | 22,412                        |          | Rosemont Village                  | 3,907                         |
| Mound City City                   | 574                           |          | Round Lake Beach Village          | 27,790                        |
| Mount Prospect Village            | 53,050                        |          | Sauget Village                    | 239                           |
| Mount Vernon City                 | 16,185                        |          | Schaumburg Village                | 71,303                        |
| Muddy Village                     | 72                            |          | Schiller Park Village             | 11,431                        |
| Mundelein Village                 | 33,979                        |          | Sesser City                       | 2,116                         |
| Murphysboro City                  | 8,106                         |          | Sherman Village                   | 3,873                         |
| Naperville City                   | 143,661                       |          | Skokie Village                    | 66,468                        |
| Naples Town                       | 124                           |          | South Barrington Village          | 4,494                         |
| Nauvoo City                       | 1,141                         |          | South Holland Village             | 21,045                        |
| New Lenox Village                 | 24,286                        |          | Springfield City                  | 118,033                       |
| Niles Village                     | 28,513                        |          | St. Charles City                  | 32,840                        |
| Normal Town                       | 52,799                        |          | Standard Village                  | 133                           |
| Norridge Village                  | 13,876                        |          | Stickney Village                  | 5,741                         |
| Northbrook Village                | 33,764                        |          | Stone Park Village                | 4,851                         |
| North Chicago City                | 32,656                        |          | Streamwood Village                | 36,974                        |
| Northfield Village                | 5,463                         |          | Sycamore City                     | 17,816                        |
| Northlake City                    | 11,380                        |          | Thornton Village                  | 2,375                         |
| North Utica Village               | 1,051                         |          | Tilton Village                    | 3,061                         |
| Oakbrook Terrace City             | 2,384                         |          | Tinley Park Village               | 59,140                        |
| Oak Forest City                   | 27,681                        |          | Tuscola City                      | 4,570                         |
| Oak Lawn Village                  | 52,948                        |          | University Park Village           | 8,222                         |
| Oak Park Village                  | 53,125                        |          | Urbana City                       | 39,985                        |
| O'Fallon City                     | 27,778                        |          | Valmeyer Village                  | 1,168                         |
| Old Mill Creek Village            | 264                           |          | Volo Village                      | 1,044                         |
| Omaha Village                     | 1,350                         |          | Warrenville City                  | 13,050                        |
| Orland Park Village               | 55,236                        |          | Washington Park Village           | 5,554                         |
| Oswego Village                    | 29,364                        |          | Watseka City                      | 5,375                         |
| Palatine Village                  | 66,690                        |          | Waukegan City                     | 90,622                        |
| Park City City                    | 6,710                         |          | West Chicago City                 | 26,475                        |
| Park Forest Village               | 22,462                        |          | West City Village                 | 764                           |
| Park Ridge City                   | 36,806                        |          | West Dundee Village               | 8,015                         |
| Pekin City                        | 33,580                        |          | West Frankfort City               | 8,125                         |
| Peoria City                       | 115,520                       |          | Wheaton City                      | 54,568                        |
| Peoria Heights Village            | 6,278                         |          | Wheeling Village                  | 35,912                        |
| Peru City                         | 9,792                         |          | Williamsville Village             | 1,387                         |
| Phoenix Village                   | 2,034                         |          | Wilmette Village                  | 26,300                        |
| Plainfield Village                | 36,659                        |          | Winnetka Village                  | 12,381                        |
| Posen Village                     | 4,875                         |          | Woodridge Village                 | 34,173                        |



## **K. Consent Agenda**



**The City of Berwyn**



**Nona N. Chapman**  
1<sup>st</sup> Ward Alderman



**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6401 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

April 21, 2011

Mayor Robert J. Lovero  
Members of the City Council  
City of Berwyn

SUBJECT: Payroll April 13, 2011

Ladies and Gentlemen:

The current payroll has been prepared for review by the finance department and is ready for approval at the April 26, 2011 meeting.

Payroll: April 13, 2011 in the amount of \$1,000,010.58.

Respectfully Submitted,

Nona N. Chapman  
Budget Committee Chairman



**Nona N. Chapman**  
1<sup>st</sup> Ward Alderman

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 749-6401 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

April 21, 2011

Mayor Robert J. Lovero  
Members of the City Council  
City of Berwyn

SUBJECT: Payables April 26, 2011 meeting

Ladies and Gentlemen:

The current payables were prepared for review by the finance department and are ready for approval at the April 26, 2011 meeting.

Total Payables: April 26, 2011 in the amount of \$407,737.75.

Respectfully Submitted,

Nona N. Chapman  
Budget Committee Chairman

# Payment Register

From Payment Date: 4/22/2010 - To Payment Date: 4/27/2011

| Number            | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                            | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|-------------------|------------|--------|-------------|----------------------------|------------------|-------------------------------------------------------|-----------------------|----------------------|------------|
| 01 - General Cash |            |        |             |                            |                  |                                                       |                       |                      |            |
| <u>Check</u>      |            |        |             |                            |                  |                                                       |                       |                      |            |
| 11972             | 04/13/2011 | Open   |             |                            | Accounts Payable | Nicor Gas                                             | \$3,553.32            |                      |            |
| 11973             | 04/13/2011 | Open   |             |                            | Accounts Payable | Abraham Lincoln Presidential Library                  | \$103.24              |                      |            |
| 11974             | 04/13/2011 | Open   |             |                            | Accounts Payable | Aflac Corporation                                     | \$139.86              |                      |            |
| 11975             | 04/13/2011 | Open   |             |                            | Accounts Payable | AmAudit                                               | \$886.39              |                      |            |
| 11976             | 04/13/2011 | Open   |             |                            | Accounts Payable | JNC CONSULTING, INC                                   | \$1,553.04            |                      |            |
| 11977             | 04/13/2011 | Open   |             |                            | Accounts Payable | R.D.V. ELECTRIC INC.                                  | \$150.00              |                      |            |
| 11978             | 04/13/2011 | Open   |             |                            | Accounts Payable | KATHLEEN BEHRENDT                                     | \$59.00               |                      |            |
| 11979             | 04/13/2011 | Open   |             |                            | Accounts Payable | MEADE ELECTRIC COMPANY, INC.                          | \$478.77              |                      |            |
| 11980             | 04/14/2011 | Open   |             |                            | Accounts Payable | Secretary of State                                    | \$120.00              |                      |            |
| 11981             | 04/14/2011 | Open   |             |                            | Accounts Payable | Secretary of State                                    | \$120.00              |                      |            |
| 11982             | 04/14/2011 | Open   |             |                            | Accounts Payable | Secretary of State                                    | \$120.00              |                      |            |
| 11984             | 04/15/2011 | Open   |             |                            | Accounts Payable | MARTIN-AIRE HEATING & COOLING<br>INC.                 | \$8,342.50            |                      |            |
| 11985             | 04/18/2011 | Open   |             |                            | Accounts Payable | Robert J. Lovero                                      | \$204.35              |                      |            |
| 11986             | 04/27/2011 | Open   |             |                            | Accounts Payable | 19th Street Condo Association                         | \$120.00              |                      |            |
| 11987             | 04/27/2011 | Open   |             |                            | Accounts Payable | 1st Source America                                    | \$546.83              |                      |            |
| 11988             | 04/27/2011 | Open   |             |                            | Accounts Payable | AAA Masonary & Tuckpointing Co.                       | \$24,363.00           |                      |            |
| 11989             | 04/27/2011 | Open   |             |                            | Accounts Payable | ABC Automotive Electronics                            | \$294.99              |                      |            |
| 11990             | 04/27/2011 | Open   |             |                            | Accounts Payable | ABC Commercial Maintenance<br>Services, Inc.          | \$5,253.00            |                      |            |
| 11991             | 04/27/2011 | Open   |             |                            | Accounts Payable | ADT Security Services                                 | \$54.00               |                      |            |
| 11992             | 04/27/2011 | Open   |             |                            | Accounts Payable | Air One Equipment, Inc.                               | \$135.00              |                      |            |
| 11993             | 04/27/2011 | Open   |             |                            | Accounts Payable | Airgas North Central                                  | \$94.62               |                      |            |
| 11994             | 04/27/2011 | Open   |             |                            | Accounts Payable | Al Warren Oil Company                                 | \$53,248.62           |                      |            |
| 11995             | 04/27/2011 | Open   |             |                            | Accounts Payable | Alcan Heating & Cooling                               | \$7,590.00            |                      |            |
| 11996             | 04/27/2011 | Open   |             |                            | Accounts Payable | All American Exterior Solutions                       | \$450.00              |                      |            |
| 11997             | 04/27/2011 | Open   |             |                            | Accounts Payable | Allied Asphalt                                        | \$599.25              |                      |            |
| 11998             | 04/27/2011 | Open   |             |                            | Accounts Payable | Ancel, Glink, Diamond, Bush, Dicianni<br>& Krafthefer | \$5,782.41            |                      |            |
| 11999             | 04/27/2011 | Open   |             |                            | Accounts Payable | Aqua Chill of Chicago # 22                            | \$180.00              |                      |            |
| 12000             | 04/27/2011 | Open   |             |                            | Accounts Payable | AT & T                                                | \$2,669.64            |                      |            |
| 12001             | 04/27/2011 | Open   |             |                            | Accounts Payable | AT & T                                                | \$226.00              |                      |            |
| 12002             | 04/27/2011 | Open   |             |                            | Accounts Payable | AT & T Internet Services                              | \$947.00              |                      |            |
| 12003             | 04/27/2011 | Open   |             |                            | Accounts Payable | AudioGo                                               | \$100.01              |                      |            |
| 12004             | 04/27/2011 | Open   |             |                            | Accounts Payable | Baker & Taylor, Inc.                                  | \$644.49              |                      |            |
| 12005             | 04/27/2011 | Open   |             |                            | Accounts Payable | BARGE TERMINAL & TRUCKING                             | \$1,069.55            |                      |            |
| 12006             | 04/27/2011 | Open   |             |                            | Accounts Payable | Berwyn Development Corporation                        | \$250.00              |                      |            |
| 12007             | 04/27/2011 | Open   |             |                            | Accounts Payable | Bill's and Son Clarence Ave Service<br>Station, Inc.  | \$351.22              |                      |            |
| 12008             | 04/27/2011 | Open   |             |                            | Accounts Payable | Blackstone Audiobooks                                 | \$181.00              |                      |            |
| 12009             | 04/27/2011 | Open   |             |                            | Accounts Payable | Bob's Lawn Care, Inc.                                 | \$845.00              |                      |            |
| 12010             | 04/27/2011 | Open   |             |                            | Accounts Payable | BOURBONNAIS SUPPLY CO, INC.                           | \$1,379.71            |                      |            |

# Payment Register

From Payment Date: 4/22/2010 - To Payment Date: 4/27/2011

| Number | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                   | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|--------|------------|--------|-------------|----------------------------|------------------|----------------------------------------------|-----------------------|----------------------|------------|
| 12011  | 04/27/2011 | Open   |             |                            | Accounts Payable | Brancato Landscaping                         | \$1,853.12            |                      |            |
| 12012  | 04/27/2011 | Open   |             |                            | Accounts Payable | Brendan O'Connor                             | \$1,475.00            |                      |            |
| 12013  | 04/27/2011 | Open   |             |                            | Accounts Payable | CASSIDY TIRE                                 | \$173.50              |                      |            |
| 12014  | 04/27/2011 | Open   |             |                            | Accounts Payable | Catholic Charities of Chicago<br>Archdiocese | \$4,421.85            |                      |            |
| 12015  | 04/27/2011 | Open   |             |                            | Accounts Payable | CDW Government, Inc.                         | \$467.82              |                      |            |
| 12016  | 04/27/2011 | Open   |             |                            | Accounts Payable | Cermak Animal Clinic                         | \$78.00               |                      |            |
| 12017  | 04/27/2011 | Open   |             |                            | Accounts Payable | CHICAGO BADGE COMPANY                        | \$217.60              |                      |            |
| 12018  | 04/27/2011 | Open   |             |                            | Accounts Payable | Chicago Office Technology Group              | \$26.14               |                      |            |
| 12019  | 04/27/2011 | Open   |             |                            | Accounts Payable | Chicagoland Trucking, Inc.                   | \$7,240.00            |                      |            |
| 12020  | 04/27/2011 | Open   |             |                            | Accounts Payable | CITADEL                                      | \$452.00              |                      |            |
| 12021  | 04/27/2011 | Open   |             |                            | Accounts Payable | COMCAST CABLE                                | \$11.94               |                      |            |
| 12022  | 04/27/2011 | Open   |             |                            | Accounts Payable | ComEd                                        | \$432.11              |                      |            |
| 12023  | 04/27/2011 | Open   |             |                            | Accounts Payable | ComEd                                        | \$24,894.51           |                      |            |
| 12024  | 04/27/2011 | Open   |             |                            | Accounts Payable | COMPLETE TEMPERATURE<br>SYSTEMS, INC.        | \$335.00              |                      |            |
| 12025  | 04/27/2011 | Open   |             |                            | Accounts Payable | Cook County Clerk                            | \$10.00               |                      |            |
| 12026  | 04/27/2011 | Open   |             |                            | Accounts Payable | Crystal Overhead Door, Inc.                  | \$85.00               |                      |            |
| 12027  | 04/27/2011 | Open   |             |                            | Accounts Payable | Del Galdo Law Group, LLC                     | \$12,150.71           |                      |            |
| 12028  | 04/27/2011 | Open   |             |                            | Accounts Payable | Dell Marketing, LP                           | \$1,155.48            |                      |            |
| 12029  | 04/27/2011 | Open   |             |                            | Accounts Payable | Dell Marketing, LP                           | \$875.44              |                      |            |
| 12030  | 04/27/2011 | Open   |             |                            | Accounts Payable | DEMCO EDUCATIONAL CORP                       | \$175.48              |                      |            |
| 12031  | 04/27/2011 | Open   |             |                            | Accounts Payable | Diamond Graphics, Inc.                       | \$1,484.00            |                      |            |
| 12032  | 04/27/2011 | Open   |             |                            | Accounts Payable | Don Morris Architects, PC                    | \$10,155.00           |                      |            |
| 12033  | 04/27/2011 | Open   |             |                            | Accounts Payable | DVA.COM                                      | \$69.99               |                      |            |
| 12034  | 04/27/2011 | Open   |             |                            | Accounts Payable | EDMARK VISUAL                                | \$192.14              |                      |            |
| 12035  | 04/27/2011 | Open   |             |                            | Accounts Payable | Edward Gierut                                | \$200.00              |                      |            |
| 12036  | 04/27/2011 | Open   |             |                            | Accounts Payable | Elite Deposition Services                    | \$252.90              |                      |            |
| 12037  | 04/27/2011 | Open   |             |                            | Accounts Payable | EMPIRE COOLER SERVICE, INC.                  | \$92.00               |                      |            |
| 12038  | 04/27/2011 | Open   |             |                            | Accounts Payable | Federal Express Corporation                  | \$34.87               |                      |            |
| 12039  | 04/27/2011 | Open   |             |                            | Accounts Payable | Felco Vending, Inc.                          | \$414.50              |                      |            |
| 12040  | 04/27/2011 | Open   |             |                            | Accounts Payable | Fire Safety Consultants, Inc.                | \$11,155.10           |                      |            |
| 12041  | 04/27/2011 | Open   |             |                            | Accounts Payable | FREEWAY FORD TRUCK SALES<br>INC              | \$884.49              |                      |            |
| 12042  | 04/27/2011 | Open   |             |                            | Accounts Payable | GABRIEL SALES                                | \$596.18              |                      |            |
| 12043  | 04/27/2011 | Open   |             |                            | Accounts Payable | GALE                                         | \$1,923.32            |                      |            |
| 12044  | 04/27/2011 | Open   |             |                            | Accounts Payable | GAYLORD BROS INC                             | \$122.95              |                      |            |
| 12045  | 04/27/2011 | Open   |             |                            | Accounts Payable | GEM BUSINESS FORMS, INC.                     | \$2,316.40            |                      |            |
| 12046  | 04/27/2011 | Open   |             |                            | Accounts Payable | Global Connect                               | \$9,816.67            |                      |            |
| 12047  | 04/27/2011 | Open   |             |                            | Accounts Payable | Gould & Ratner, LLP                          | \$814.47              |                      |            |
| 12048  | 04/27/2011 | Open   |             |                            | Accounts Payable | GRAINGER                                     | \$75.71               |                      |            |
| 12049  | 04/27/2011 | Open   |             |                            | Accounts Payable | GREAT WEST ELECTRIC SUPPLY<br>CO             | \$3.30                |                      |            |
| 12050  | 04/27/2011 | Open   |             |                            | Accounts Payable | Gurtner Plumbing, Inc.                       | \$1,241.00            |                      |            |

# Payment Register

From Payment Date: 4/22/2010 - To Payment Date: 4/27/2011

| Number | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                       | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|--------|------------|--------|-------------|----------------------------|------------------|--------------------------------------------------|-----------------------|----------------------|------------|
| 12051  | 04/27/2011 | Open   |             |                            | Accounts Payable | H J MOHR & SONS CO                               | \$787.52              |                      |            |
| 12052  | 04/27/2011 | Open   |             |                            | Accounts Payable | H.W.WILSON CO.                                   | \$192.00              |                      |            |
| 12053  | 04/27/2011 | Open   |             |                            | Accounts Payable | HARTIGAN & O'CONNOR P.C.                         | \$1,107.00            |                      |            |
| 12054  | 04/27/2011 | Open   |             |                            | Accounts Payable | Harvey Place Condo Association                   | \$551.26              |                      |            |
| 12055  | 04/27/2011 | Open   |             |                            | Accounts Payable | HD SUPPLY WATERWORKS,LTD                         | \$3,252.60            |                      |            |
| 12056  | 04/27/2011 | Open   |             |                            | Accounts Payable | Home Depot Credit Services                       | \$40.98               |                      |            |
| 12057  | 04/27/2011 | Open   |             |                            | Accounts Payable | Horizon Screening                                | \$3,366.00            |                      |            |
| 12058  | 04/27/2011 | Open   |             |                            | Accounts Payable | Hugh O'Brien Youth Leadership<br>Illinois-North  | \$150.00              |                      |            |
| 12059  | 04/27/2011 | Open   |             |                            | Accounts Payable | Illinois Office of the State Fire<br>Marshall    | \$100.00              |                      |            |
| 12060  | 04/27/2011 | Open   |             |                            | Accounts Payable | Illinois Paper & Copier Company                  | \$13.09               |                      |            |
| 12061  | 04/27/2011 | Open   |             |                            | Accounts Payable | Illinois State Toll Highway Authority            | \$418.45              |                      |            |
| 12062  | 04/27/2011 | Open   |             |                            | Accounts Payable | In The Swim                                      | \$35.93               |                      |            |
| 12063  | 04/27/2011 | Open   |             |                            | Accounts Payable | Ingram Library Services                          | \$1,080.13            |                      |            |
| 12064  | 04/27/2011 | Open   |             |                            | Accounts Payable | INTOXIMETERS                                     | \$421.45              |                      |            |
| 12065  | 04/27/2011 | Open   |             |                            | Accounts Payable | Jack's Rental, Inc.                              | \$3,814.90            |                      |            |
| 12066  | 04/27/2011 | Open   |             |                            | Accounts Payable | James Frank                                      | \$110.10              |                      |            |
| 12067  | 04/27/2011 | Open   |             |                            | Accounts Payable | JAN WAY CO.USA,INC.                              | \$698.72              |                      |            |
| 12068  | 04/27/2011 | Open   |             |                            | Accounts Payable | Jason Brock                                      | \$100.00              |                      |            |
| 12069  | 04/27/2011 | Open   |             |                            | Accounts Payable | Joshua Jones & Jon Stachewicz                    | \$1,475.00            |                      |            |
| 12070  | 04/27/2011 | Open   |             |                            | Accounts Payable | JULIE,INC.                                       | \$2,633.93            |                      |            |
| 12071  | 04/27/2011 | Open   |             |                            | Accounts Payable | K's Quality Construction, Inc.                   | \$3,556.00            |                      |            |
| 12072  | 04/27/2011 | Open   |             |                            | Accounts Payable | Key Government Finance, Inc.                     | \$7,078.26            |                      |            |
| 12073  | 04/27/2011 | Open   |             |                            | Accounts Payable | KIEFT BROS,INC.                                  | \$3,532.50            |                      |            |
| 12074  | 04/27/2011 | Open   |             |                            | Accounts Payable | Laner Muchin Dombrow Becker Levin<br>& Tech, Ltd | \$7,406.10            |                      |            |
| 12075  | 04/27/2011 | Open   |             |                            | Accounts Payable | LaVerne Kleszczewski                             | \$12.96               |                      |            |
| 12076  | 04/27/2011 | Open   |             |                            | Accounts Payable | Lawndale News                                    | \$474.48              |                      |            |
| 12077  | 04/27/2011 | Open   |             |                            | Accounts Payable | LEXISNEXIS                                       | \$467.00              |                      |            |
| 12078  | 04/27/2011 | Open   |             |                            | Accounts Payable | LITTLE VILLAGE PRINTING                          | \$224.00              |                      |            |
| 12079  | 04/27/2011 | Open   |             |                            | Accounts Payable | LogIn/ IACP Net                                  | \$100.00              |                      |            |
| 12080  | 04/27/2011 | Open   |             |                            | Accounts Payable | Louis Rainone                                    | \$20.00               |                      |            |
| 12081  | 04/27/2011 | Open   |             |                            | Accounts Payable | MacNeal Phy Group [OCCMED]                       | \$285.00              |                      |            |
| 12082  | 04/27/2011 | Open   |             |                            | Accounts Payable | MARIE L.ROGERS                                   | \$399.50              |                      |            |
| 12083  | 04/27/2011 | Open   |             |                            | Accounts Payable | MARLIN LEASING                                   | \$391.41              |                      |            |
| 12084  | 04/27/2011 | Open   |             |                            | Accounts Payable | McDonald Modular Solutions, Inc.                 | \$95.00               |                      |            |
| 12085  | 04/27/2011 | Open   |             |                            | Accounts Payable | McDonough Mechanical Services, Inc.              | \$807.50              |                      |            |
| 12086  | 04/27/2011 | Open   |             |                            | Accounts Payable | McGuire's II, L.L.C.                             | \$321.00              |                      |            |
| 12087  | 04/27/2011 | Open   |             |                            | Accounts Payable | Menards                                          | \$127.17              |                      |            |
| 12088  | 04/27/2011 | Open   |             |                            | Accounts Payable | Menards                                          | \$42.89               |                      |            |
| 12089  | 04/27/2011 | Open   |             |                            | Accounts Payable | Menards                                          | \$101.43              |                      |            |
| 12090  | 04/27/2011 | Open   |             |                            | Accounts Payable | MES - Illinois                                   | \$365.19              |                      |            |
| 12091  | 04/27/2011 | Open   |             |                            | Accounts Payable | Metro Clerking,Inc.                              | \$20.00               |                      |            |

# Payment Register

From Payment Date: 4/22/2010 - To Payment Date: 4/27/2011

| Number | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                           | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|--------|------------|--------|-------------|----------------------------|------------------|------------------------------------------------------|-----------------------|----------------------|------------|
| 12092  | 04/27/2011 | Open   |             |                            | Accounts Payable | METRO GARAGE INC                                     | \$25.00               |                      |            |
| 12093  | 04/27/2011 | Open   |             |                            | Accounts Payable | MICHELE D.SKRYD                                      | \$420.50              |                      |            |
| 12094  | 04/27/2011 | Open   |             |                            | Accounts Payable | MICRO MARKETING,LLC                                  | \$125.03              |                      |            |
| 12095  | 04/27/2011 | Open   |             |                            | Accounts Payable | Midwest Tape                                         | \$118.93              |                      |            |
| 12096  | 04/27/2011 | Open   |             |                            | Accounts Payable | Miguel A.Santiago Consulting,Inc                     | \$5,000.00            |                      |            |
| 12097  | 04/27/2011 | Open   |             |                            | Accounts Payable | Mike & Sons                                          | \$7,770.39            |                      |            |
| 12098  | 04/27/2011 | Open   |             |                            | Accounts Payable | MLB FINANCIAL SERVICES,LTD                           | \$85.00               |                      |            |
| 12099  | 04/27/2011 | Open   |             |                            | Accounts Payable | NAEIR                                                | \$186.96              |                      |            |
| 12100  | 04/27/2011 | Open   |             |                            | Accounts Payable | NATIONAL SEED                                        | \$1,720.00            |                      |            |
| 12101  | 04/27/2011 | Open   |             |                            | Accounts Payable | Newsweb Radio Company                                | \$4,500.00            |                      |            |
| 12102  | 04/27/2011 | Open   |             |                            | Accounts Payable | Nextel Communications                                | \$551.72              |                      |            |
| 12103  | 04/27/2011 | Open   |             |                            | Accounts Payable | Nicor Gas                                            | \$3,213.23            |                      |            |
| 12104  | 04/27/2011 | Open   |             |                            | Accounts Payable | Nicor Gas                                            | \$6,282.67            |                      |            |
| 12105  | 04/27/2011 | Open   |             |                            | Accounts Payable | Northeastern Illinois Public Safety<br>Training Acad | \$400.00              |                      |            |
| 12106  | 04/27/2011 | Open   |             |                            | Accounts Payable | NORTHERN ILLINOIS POLICE<br>ALARM SYSTEM             | \$4,505.00            |                      |            |
| 12107  | 04/27/2011 | Open   |             |                            | Accounts Payable | NU WIRELESS                                          | \$141.25              |                      |            |
| 12108  | 04/27/2011 | Open   |             |                            | Accounts Payable | Odelson & Sterk, LTD                                 | \$28,015.90           |                      |            |
| 12109  | 04/27/2011 | Open   |             |                            | Accounts Payable | Office Depot                                         | \$594.12              |                      |            |
| 12110  | 04/27/2011 | Open   |             |                            | Accounts Payable | Office Depot                                         | \$149.90              |                      |            |
| 12111  | 04/27/2011 | Open   |             |                            | Accounts Payable | PILLARS COMMUNITY SERVICES                           | \$2,956.19            |                      |            |
| 12112  | 04/27/2011 | Open   |             |                            | Accounts Payable | PIONEER PRESS                                        | \$32.00               |                      |            |
| 12113  | 04/27/2011 | Open   |             |                            | Accounts Payable | Pitney Bowes                                         | \$2,313.00            |                      |            |
| 12114  | 04/27/2011 | Open   |             |                            | Accounts Payable | Pitney Bowes                                         | \$150.00              |                      |            |
| 12115  | 04/27/2011 | Open   |             |                            | Accounts Payable | PNC Equipment Finance                                | \$4,388.00            |                      |            |
| 12116  | 04/27/2011 | Open   |             |                            | Accounts Payable | RAY O'HERRON CO.INC.                                 | \$604.35              |                      |            |
| 12117  | 04/27/2011 | Open   |             |                            | Accounts Payable | Rizza Ford                                           | \$1,152.52            |                      |            |
| 12118  | 04/27/2011 | Open   |             |                            | Accounts Payable | ROBERT DWAN                                          | \$67.04               |                      |            |
| 12119  | 04/27/2011 | Open   |             |                            | Accounts Payable | Roscoe Company                                       | \$664.73              |                      |            |
| 12120  | 04/27/2011 | Open   |             |                            | Accounts Payable | S-P-D- INCORPORATED                                  | \$269.90              |                      |            |
| 12121  | 04/27/2011 | Open   |             |                            | Accounts Payable | S. Jantelezio Insurance Company                      | \$30.00               |                      |            |
| 12122  | 04/27/2011 | Open   |             |                            | Accounts Payable | SANTO SPORT STORE                                    | \$1,545.00            |                      |            |
| 12123  | 04/27/2011 | Open   |             |                            | Accounts Payable | Scott & Mariela Anderson                             | \$1,475.00            |                      |            |
| 12124  | 04/27/2011 | Open   |             |                            | Accounts Payable | SCOUT ELECTRIC SUPPLY                                | \$5,151.58            |                      |            |
| 12125  | 04/27/2011 | Open   |             |                            | Accounts Payable | Secretary of State                                   | \$99.00               |                      |            |
| 12126  | 04/27/2011 | Open   |             |                            | Accounts Payable | Secretary of State                                   | \$10.00               |                      |            |
| 12127  | 04/27/2011 | Open   |             |                            | Accounts Payable | Secretary of State                                   | \$198.00              |                      |            |
| 12128  | 04/27/2011 | Open   |             |                            | Accounts Payable | SHARON LORENZI                                       | \$55.58               |                      |            |
| 12129  | 04/27/2011 | Open   |             |                            | Accounts Payable | SHERWIN WILLIAMS                                     | \$119.95              |                      |            |
| 12130  | 04/27/2011 | Open   |             |                            | Accounts Payable | Showcases                                            | \$163.08              |                      |            |
| 12131  | 04/27/2011 | Open   |             |                            | Accounts Payable | SIERRA CLUB                                          | \$25.00               |                      |            |
| 12132  | 04/27/2011 | Open   |             |                            | Accounts Payable | SIMMONS PEST CONTROL                                 | \$150.00              |                      |            |
| 12133  | 04/27/2011 | Open   |             |                            | Accounts Payable | Snappy Convenience Center #12                        | \$308.50              |                      |            |



# Payment Register

From Payment Date: 4/22/2010 - To Payment Date: 4/27/2011

| Number             | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                   | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|--------------------|------------|--------|-------------|----------------------------|------------------|----------------------------------------------|-----------------------|----------------------|------------|
| 12134              | 04/27/2011 | Open   |             |                            | Accounts Payable | SPECIALTY STORE UNLIMITED                    | \$34.00               |                      |            |
| 12135              | 04/27/2011 | Open   |             |                            | Accounts Payable | SPORTSFIELDS, INC.                           | \$595.00              |                      |            |
| 12136              | 04/27/2011 | Open   |             |                            | Accounts Payable | Sprint                                       | \$1,368.87            |                      |            |
| 12137              | 04/27/2011 | Open   |             |                            | Accounts Payable | Standard Equipment Company                   | \$1,663.40            |                      |            |
| 12138              | 04/27/2011 | Open   |             |                            | Accounts Payable | Storino, Ramello & Durkin                    | \$12,356.03           |                      |            |
| 12139              | 04/27/2011 | Open   |             |                            | Accounts Payable | STREICHER'S                                  | \$286.00              |                      |            |
| 12140              | 04/27/2011 | Open   |             |                            | Accounts Payable | Strictly Sewers                              | \$1,200.00            |                      |            |
| 12141              | 04/27/2011 | Open   |             |                            | Accounts Payable | Suburban Laboratories, Inc.                  | \$160.00              |                      |            |
| 12142              | 04/27/2011 | Open   |             |                            | Accounts Payable | SULLIVAN'S LAW DIRECTORY                     | \$75.93               |                      |            |
| 12143              | 04/27/2011 | Open   |             |                            | Accounts Payable | Sunbelt Rentals                              | \$1,134.90            |                      |            |
| 12144              | 04/27/2011 | Open   |             |                            | Accounts Payable | SWAN                                         | \$9,899.01            |                      |            |
| 12145              | 04/27/2011 | Open   |             |                            | Accounts Payable | TAMERLING INC.                               | \$321.00              |                      |            |
| 12146              | 04/27/2011 | Open   |             |                            | Accounts Payable | Tantor Media                                 | \$194.36              |                      |            |
| 12147              | 04/27/2011 | Open   |             |                            | Accounts Payable | TARGET AUTO PARTS                            | \$13.76               |                      |            |
| 12148              | 04/27/2011 | Open   |             |                            | Accounts Payable | Tele-Tron Ace Hardware                       | \$66.93               |                      |            |
| 12149              | 04/27/2011 | Open   |             |                            | Accounts Payable | Tele-Tron Ace Hardware                       | \$98.25               |                      |            |
| 12150              | 04/27/2011 | Open   |             |                            | Accounts Payable | THE AV CAFE                                  | \$264.43              |                      |            |
| 12151              | 04/27/2011 | Open   |             |                            | Accounts Payable | The Elmwood Condo Association                | \$515.73              |                      |            |
| 12152              | 04/27/2011 | Open   |             |                            | Accounts Payable | The Library Store                            | \$65.03               |                      |            |
| 12153              | 04/27/2011 | Open   |             |                            | Accounts Payable | Thomas J. Pavlik                             | \$140.88              |                      |            |
| 12154              | 04/27/2011 | Open   |             |                            | Accounts Payable | THOMPSON ELEVATOR<br>INSPECTION SERVICE INC. | \$100.00              |                      |            |
| 12155              | 04/27/2011 | Open   |             |                            | Accounts Payable | TIGER DIRECT                                 | \$89.93               |                      |            |
| 12156              | 04/27/2011 | Open   |             |                            | Accounts Payable | Traffic Control & Protection Inc.            | \$1,552.00            |                      |            |
| 12157              | 04/27/2011 | Open   |             |                            | Accounts Payable | Tryad Automotive                             | \$636.89              |                      |            |
| 12158              | 04/27/2011 | Open   |             |                            | Accounts Payable | U.S. Cellular                                | \$681.28              |                      |            |
| 12159              | 04/27/2011 | Open   |             |                            | Accounts Payable | UNIQUE MANAGEMENT<br>SERVICES, INC.          | \$187.95              |                      |            |
| 12160              | 04/27/2011 | Open   |             |                            | Accounts Payable | United Parcel Service                        | \$27.02               |                      |            |
| 12161              | 04/27/2011 | Open   |             |                            | Accounts Payable | US Gas                                       | \$142.60              |                      |            |
| 12162              | 04/27/2011 | Open   |             |                            | Accounts Payable | VIDEO AND SOUND SERVICE, INC.                | \$746.14              |                      |            |
| 12163              | 04/27/2011 | Open   |             |                            | Accounts Payable | VIOLET FLOWER SHOP                           | \$115.00              |                      |            |
| 12164              | 04/27/2011 | Open   |             |                            | Accounts Payable | Voltexx, Inc.                                | \$513.17              |                      |            |
| 12165              | 04/27/2011 | Open   |             |                            | Accounts Payable | WALGREENS CO.                                | \$11.99               |                      |            |
| 12166              | 04/27/2011 | Open   |             |                            | Accounts Payable | WEIMER MACHINE                               | \$8,449.13            |                      |            |
| 12167              | 04/27/2011 | Open   |             |                            | Accounts Payable | Wescon Underground Inc.                      | \$5,000.00            |                      |            |
| 12168              | 04/27/2011 | Open   |             |                            | Accounts Payable | WEST SUBURBAN SENIOR<br>SERVICES             | \$4,473.00            |                      |            |
| 12169              | 04/27/2011 | Open   |             |                            | Accounts Payable | William Pack                                 | \$300.00              |                      |            |
| 12170              | 04/27/2011 | Open   |             |                            | Accounts Payable | WORLD FUEL SERVICES                          | \$546.63              |                      |            |
| 12171              | 04/27/2011 | Open   |             |                            | Accounts Payable | Zee Medical, Inc.                            | \$239.54              |                      |            |
| Type Check Totals: |            |        |             |                            | 199 Transactions |                                              | \$407,737.75          |                      |            |

01 - General Cash Totals

| Checks | Status | Count | Transaction Amount | Reconciled Amount |
|--------|--------|-------|--------------------|-------------------|
|--------|--------|-------|--------------------|-------------------|

# Payment Register

From Payment Date: 4/22/2010 - To Payment Date: 4/27/2011

| Number        | Date | Status | Void Reason | Reconciled/<br>Voided Date | Source | Payee Name | Transaction<br>Amount | Reconciled<br>Amount | Difference        |
|---------------|------|--------|-------------|----------------------------|--------|------------|-----------------------|----------------------|-------------------|
|               |      |        |             |                            | Open   | 199        | \$407,737.75          |                      |                   |
|               |      |        |             |                            | Total  | 199        | \$407,737.75          | \$0.00               |                   |
|               |      |        |             |                            | All    | Status     | Count                 | Transaction Amount   | Reconciled Amount |
|               |      |        |             |                            | Open   | 199        | \$407,737.75          |                      |                   |
|               |      |        |             |                            | Total  | 199        | \$407,737.75          | \$0.00               |                   |
| Grand Totals: |      |        |             |                            |        |            |                       |                      |                   |
|               |      |        |             |                            | Checks | Status     | Count                 | Transaction Amount   | Reconciled Amount |
|               |      |        |             |                            | Open   | 199        | \$407,737.75          |                      |                   |
|               |      |        |             |                            | Total  | 199        | \$407,737.75          | \$0.00               |                   |
|               |      |        |             |                            | All    | Status     | Count                 | Transaction Amount   | Reconciled Amount |
|               |      |        |             |                            | Open   | 199        | \$407,737.75          |                      |                   |
|               |      |        |             |                            | Total  | 199        | \$407,737.75          | \$0.00               |                   |

K-3  
The City of Berwyn



Jeffrey G. Boyajian  
2<sup>nd</sup> Ward Alderman

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 748-6402 Fax: (708) 788-2875  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

April 19, 2011

Honorable Mayor Robert J. Lovero and  
Members of the Berwyn City Council

Re: Handicap Sign Request #729

Michael O'Connell  
3206 S. Lombard Ave.

Mayor and City Council Members:

I concur with the recommendations of the investigating officer in the attached application and ask that this request be **Approved**.

Respectfully,

Jeffrey Boyajian  
2<sup>nd</sup> Ward Alderman

*Berwyn*  
*Police Department*

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 9-1-1

**TO: HONORABLE MAYOR ROBERT J. LOVERO AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT  
LOCAL ORDINANCE DIVISION**

**DATE: April 7, 2011**  
\_\_\_\_\_

**RE: HANDICAPPED SIGN FOR: Michael O'Connell #729**  
\_\_\_\_\_

**ATTACHED IS A REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

**3206 S. Lombard Ave.**  
\_\_\_\_\_

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**CC: ALDERMAN Boyajian**  
\_\_\_\_\_

# Berwyn Police Department

CITY OF BERWYN  
CLERK'S OFFICE

2011 APR -6 P 3:27

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600

(Fax) 795-5627 Emergency 911

## Handicapped Parking Sign Request & Report

To: Mayor Robert J. Lovero  
And Members of City Council

From: Berwyn Police Department  
Community Service Division

Date: 04-02-2011

Application: 729

Name of Applicant: Michael O'Connell

Address: 3206 S. Lombard Ave, Berwyn, IL 60402

Telephone:

Nature of Disability:

| Information               | YES                                 | NO                                  | Information             | YES                                 | NO                       |
|---------------------------|-------------------------------------|-------------------------------------|-------------------------|-------------------------------------|--------------------------|
| Doctor's Note/ Affidavit: | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Interviewed:            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Owner's Support Letter:   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Handicap Plates:        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Garage:                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Wheelchair:             | —                                   | —                        |
| Driveway:                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Walker:                 | —                                   | —                        |
| Off Street:               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Cane:                   | —                                   | —                        |
| On Street:                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Oxygen:                 | —                                   | —                        |
| Meets Requirements:       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Report Number: 11-03723 |                                     |                          |

Recommendation: APPROVE ☒ DENY ☐

Reporting Officer: Raimondi #192

Comments:

Alderman: J. O'Connell

Ward: 2



# Berwyn Police Department



6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 911

## **HANDICAPPED PARKING INTERVIEW FORM**

Name of Handicapped Person: Michael O'Connell

Applicant Address: 3206 S. Lombard Ave, Berwyn, IL 60402

Applicant Phone #: \_\_\_\_\_

Applicant D/L or ID#: \_\_\_\_\_

D.O.B: \_\_\_\_\_

Caregivers Name: N/A

Caregivers D/L #: N/A

Vehicle Make: Toyota Vehicle Model: RAV 4 Vehicle Year: 2002 Vehicle Color: Blue

License Plate: \_\_\_\_\_

Handicapped Placard #: AG28861

Does Applicant Use:

Wheelchair Walker Cane ☐ Oxygen ☐

Parking Availability:

Driveway: ☐ Garage: ☒ On Street: ☐ Off Street: ☐

Notes: Michael O'Connell, who resides at 3206 S. Lombard Ave, Berwyn IL, 60402, is requesting the renewal of his Handicapped Parking signs, in front of his residence. There is a two car garage on the premises. Mr O'Connell has a \_\_\_\_\_, and \_\_\_\_\_ which limits his mobility on a daily basis.

Michael O'Connell meets the City and State requirements for being handicapped.

## **Applicant Interview**

Date: 04-02-2011 Time: 1200 Results: Approved (Recommendation)

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Results: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Results: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Results: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Results: \_\_\_\_\_

Completion Date: 04-05-2011

Logged In Book: 04-05-2011

Application Number: 729



# Berwyn Police Department

6401 West 31st Street Berwyn, IL 60402 (708) 795-5600

Incident#: 11-03723

## STATION COMPLAINT UCR

9041 (Applicant File)

## REPORT TYPE

Incident Report

## WHEN REPORTED

04/05/2011 08:07

## DESCRIPTION

Applicant File

## RELATED CAD #

C11-015323

## LOCATION OF OFFENSE (HOUSE NO., STREET NAME)

3206 S LOMBARD AV Berwyn, IL 60402

## INCIDENT #

11-03723

## HOW RECEIVED

On View-Officer

## TIME OF OCCURRENCE

04/05/2011 08:07

## STATUS CODE

## STATUS DATE

## INVOLVED ENTITIES

| NAME                               | DOB | AGE | ADDRESS                            | SEX | RACE | HGT    | WGT | HAIR  | EYES  | PHONE |
|------------------------------------|-----|-----|------------------------------------|-----|------|--------|-----|-------|-------|-------|
| O'CONNELL, MICHAEL G               |     |     | 3206 S LOMBARD AV Berwyn, IL 60402 | M   |      | 5' 10" | 150 | Brown | Hazel |       |
| CLOTHING                           |     |     |                                    |     |      |        |     |       |       |       |
| UCR                                |     |     |                                    |     |      |        |     |       |       |       |
| 9041 (Applicant File) - 0 count(s) |     |     |                                    |     |      |        |     |       |       |       |
| TYPE                               |     |     |                                    |     |      |        |     |       |       |       |
| Reporting Party                    |     |     |                                    |     |      |        |     |       |       |       |
| RELATED EVENT #                    |     |     |                                    |     |      |        |     |       |       |       |

## INVOLVED VEHICLES

| VEH/PLATE #          | STATE  | TYPE          | INVOLVEMENT | VIN #    |
|----------------------|--------|---------------|-------------|----------|
|                      | IL     | Sedan, 4-door |             |          |
| YEAR                 | MAKE   | MODEL         | COLOR       | COMMENTS |
| 2002                 | Toyota | RAV4          | Blue        |          |
| OWNER                |        |               |             |          |
| O'CONNELL, MICHAEL G |        |               |             |          |

## NARRATIVES

### PRIMARY NARRATIVE

In Summary:

Michael O'Connell, who resides at 3206 S. Lombard Ave, Berwyn, IL 60402, is requesting the renewal of his handicapped parking signs, in front of his residence. Mr O'Connell has a which limits his mobility on a daily basis. There is a two car garage on the premises, however, Mr O'Connell frequently utilizes a , which causes difficulty maneuvering in his garage.

Mr O'Connell meets the city and state requirements for being handicapped.

For the above listed reasons, this officer feels that this application should be considered for approval at this time.

| REPORTING OFFICER | STAR # | REVIEWER | STAR # |
|-------------------|--------|----------|--------|
| RAIMONDI, MARGO J | 192    |          |        |

## ASSISTING OFFICERS

| OFFICERS | STAR # |
|----------|--------|
|----------|--------|

| REPORTING OFFICER | STAR # | DATE/TIME        | INCIDENT # |
|-------------------|--------|------------------|------------|
| RAIMONDI, MARGO J | 192    | 04/05/2011 08:07 | 11-03723   |

Robert J. Lovero  
Mayor



FEB 23 2011  
James D. Ritz  
Chief of Police

A Century of Progress with Pride

**AFFIDAVIT FOR HANDICAPPED PARKING SIGN**

You must have a Handicap State Plate or Handicap Card  
to park any vehicle in a designated Handicap Parking space

DRIPPED  
AT PD  
2/23/11  
16:00

MICHAEL O'CONNELL  
(Name of Handicapped Applicant)

3206 S. LOMBARDI  
(Address)

\_\_\_\_\_  
(Name of caregiver, if applicable)

( )  
(Telephone Number)

\_\_\_\_\_  
(Illinois Handicapped License Plate Number)

21179 2010-2011  
(City Vehicle Sticker Number and Year)

\_\_\_\_\_  
(Illinois License Plate Number)

AG 28861  
(Illinois Handicap Placard Number)

I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit, which said person knows to be false or believes to be false.

Michael O'Connell  
(Signature of handicapped person or their legal guardian)

2/22/11  
(Date)

**Physician must state, by printing below, the nature of the patient's handicap**

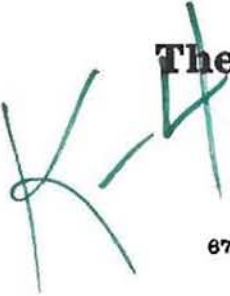
I hereby certify that the physical conditions of the above named "Handicapped Person" constitutes him/her as a handicapped person as defined under the statutory provision Par. 1-159 (Physically Handicapped Person - Every natural person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair.)

\_\_\_\_\_  
(Physician's Signature)

2/22/11  
(Date)

\_\_\_\_\_  
(Print Physician's Name, Address and Telephone Number)

Return the completed form to the Parking Division at the Berwyn Police Department  
6401 West 31<sup>st</sup> Street, Berwyn, Illinois

 **The City of Berwyn**



**Nora Laureto**  
**8<sup>th</sup> Ward Alderman**

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 740-6408 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

April 19, 2011

Honorable Mayor Robert J. Lovero and  
Members of City Council

Re: Handicap Sign Request No. 733 – Anna M. Cirilo  
1217 S. Home Ave.

Mayor and City Council Members;

I concur with the investigating officer's recommendation in the attached handicap sign application to **Approve** the request.

Respectfully,

Nora Laureto  
8<sup>th</sup> Ward Alderman

*Berwyn*  
*Police Department*

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 9-1-1

**TO: HONORABLE MAYOR ROBERT J. LOVERO AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT  
LOCAL ORDINANCE DIVISION**

**DATE: April 18, 2011**

**RE: HANDICAPPED SIGN FOR: Anna M. Cirilo #733**

**ATTACHED IS A REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

**1217 S. Home Ave.**

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**CC: ALDERMAN Laureto**

# Berwyn Police Department

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 911

CITY OF BERWYN  
CLERK'S OFFICE

## Handicapped Parking Sign Request & Report

To: Mayor Robert J. Lovero  
And Members of City Council

From: Berwyn Police Department  
Community Service Division

Date: 04-13-2011

Application: 733

Name of Applicant: Anna M. Cirilo

Address: 1217 S. Home Ave. Berwyn, IL. 60402

Telephone: 708-441-1111

### Nature of Disability

| Information               | YES                                 | NO                                  | Information             | YES                                 | NO                       |
|---------------------------|-------------------------------------|-------------------------------------|-------------------------|-------------------------------------|--------------------------|
| Doctor's Note/ Affidavit: | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Interviewed:            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Owner's Support Letter:   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Handicap Plates:        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Garage:                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Wheelchair:             | <input type="checkbox"/>            | <input type="checkbox"/> |
| Driveway:                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Walker:                 | <input type="checkbox"/>            | <input type="checkbox"/> |
| Off Street:               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Cane:                   | <input type="checkbox"/>            | <input type="checkbox"/> |
| On Street:                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Oxygen:                 | <input type="checkbox"/>            | <input type="checkbox"/> |
| Meets Requirements:       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Report Number: 11-04065 |                                     |                          |

Recommendation: APPROVE ☒ DENY ☐

Reporting Officer: Raimondi #192

Comments:

Alderman: Laureato

Ward: 8



# Berwyn Police Department



6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 911

## HANDICAPPED PARKING INTERVIEW FORM

Name of Handicapped Person: Anna M. Cirilo

Applicant Address: 1217 S. Home Ave. Berwyn, IL. 60402

Applicant Phone #:     

Applicant D/L or ID#: N/A

D.O.B:     

Caregivers Name:     

Caregivers D/L #:     

Vehicle Make:      Vehicle Model:      Vehicle Year:      Vehicle Color:     

License Plate:     

Handicapped Placard #: BD85459

### Does Applicant Use:

Wheelchair Walker: Cane:      Oxygen:     

### Parking Availability:

Driveway: ☐ Garage: ☒ On Street: ☒ Off Street: ☐

Notes: Anna M. Cirilo, who resides at 1217 S. Home Ave, Berwyn, IL 60402, is requesting handicapped parking signs in front of her residence. Ms Cirilo has      and has only     , which severely limits her mobility on a daily basis. On-street parking is very limited. Ms Cirilo meets the City and State requirements for being handicapped.

## Applicant Interview

Date: 04/13/2011 Time: 0900 Results: Approve (Recommendation)

Date:      Time:      Results:     

Date:      Time:      Results:     

Date:      Time:      Results:     

Date:      Time:      Results:     

Completion Date: 04/13/2011

Logged In Book: 04/13/2011

Application Number: 733



Incident#: 11-04065

# Berwyn Police Department

6401 West 31st Street Berwyn, IL 60402 (708) 795-5600

STATION COMPLAINT UCR  
9041 (Applicant File)  
REPORT TYPE  
Incident Report  
WHEN REPORTED  
04/13/2011 12:54  
TIME OF OCCURRENCE  
04/13/2011 12:54

DESCRIPTION  
Applicant File  
RELATED CAD #  
C11-016813  
LOCATION OF OFFENSE (HOUSE NO., STREET NAME)  
1217 HOME AV Berwyn, IL 60402  
STATUS CODE

INCIDENT #  
11-04065  
HOW RECEIVED  
Telephone  
STATUS DATE

## INVOLVED ENTITIES

| NAME                               | DOB  | AGE   | ADDRESS                       | PHONE |       |                 |
|------------------------------------|------|-------|-------------------------------|-------|-------|-----------------|
| CIRILO, ANNA M                     |      |       | 1217 HOME AV Berwyn, IL 60402 |       |       |                 |
| SEX                                | RACE | HGT   | WGT                           | HAIR  | EYES  | PHONE           |
| F                                  |      | 5' 5" | 190                           | Brown | Brown |                 |
| CLOTHING                           |      | SID # |                               | DL #  |       | FBI #           |
| UCR                                |      |       | TYPE                          |       |       | RELATED EVENT # |
| 9041 (Applicant File) - 0 count(s) |      |       | Reporting Party               |       |       |                 |

## NARRATIVES

### PRIMARY NARRATIVE

In Summary:

Anna M. Cirilo, who resides at 1217 S. Home Avenue, Berwyn, IL 60402, is requesting handicapped parking signs to be placed in front of her residence. Ms Cirilo suffers from , and has only one , which severely impedes her ability to walk long distances and climb stairs. There is a garage on the premises (see attached exhibit A) in which mobility is limited. There is a long stairway at the rear entrance to the residence, as shown in exhibit B, however there are no stairs at the front entrance (as shown in exhibit C) which makes access to the front easier.

Ms Cirilo meets the City and State requirements for being handicapped.

For the above listed reasons, this officer feels that this application should be considered for approval at this time.

| REPORTING OFFICER | STAR # | REVIEWER | STAR # |
|-------------------|--------|----------|--------|
| RAIMONDI, MARGO J | 192    |          |        |

## ASSISTING OFFICERS

| OFFICERS | STAR # |
|----------|--------|
|----------|--------|

| REPORTING OFFICER | STAR # | DATE/TIME        | INCIDENT # |
|-------------------|--------|------------------|------------|
| RAIMONDI, MARGO J | 192    | 04/13/2011 12:54 | 11-04065   |

**CITY OF BERWYN - AFFIDAVIT FOR HANDICAPPED SIGN**

**PLEASE PRINT**

Anna M. Cirilo

(Handicapped Person Name)

1217 S. Home

(Address)

Anna M Cirilo

(Applicant's Name)

(Phone)

**PLEASE PRINT**

\*\*\*\*\*

I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit which said person knows to be false or believes to be false.

Anna M. Cirilo

(Signature of Applicant)

5-1-11

(Date)

**PLEASE PRINT**

\*\*\*\*\*

**PHYSICIAN MUST FILL OUT THE NATURE OF PATIENT'S HANDICAP**

I HEREBY CERTIFY THAT THE PHYSICAL CONDITIONS OF THE ABOVE NAMES "HANDICAPPED PERSON" CONSTITUTES HIM/HER A HANDICAPPED PERSON AS DEFINED UNDER THE SATUTORY PROVISION PAR. 1-159.1 (PHYSICALLY HANICAPPED PERSON - Every Natural person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair.)

(Physician's Signature)

09/20/10

(Date)

(PLEASE PRINT - PHYSICIAN'S Name and Address) 5116 4600

(Phone)

HANDICAPPED STATE PLATE \_\_\_\_\_

VEHICLE TAG # \_\_\_\_\_ YR \_\_\_\_\_

REGULAR STATE PLATE # \_\_\_\_\_

HANDICAP STATE CARD # BD85459

**YOU MUST HAVE A HANDICAP STATE PLATE OR CARD TO PARK VEHICLE IN A HANDICAPPED SPOT.**

EXHIBIT A



EXHIBIT B

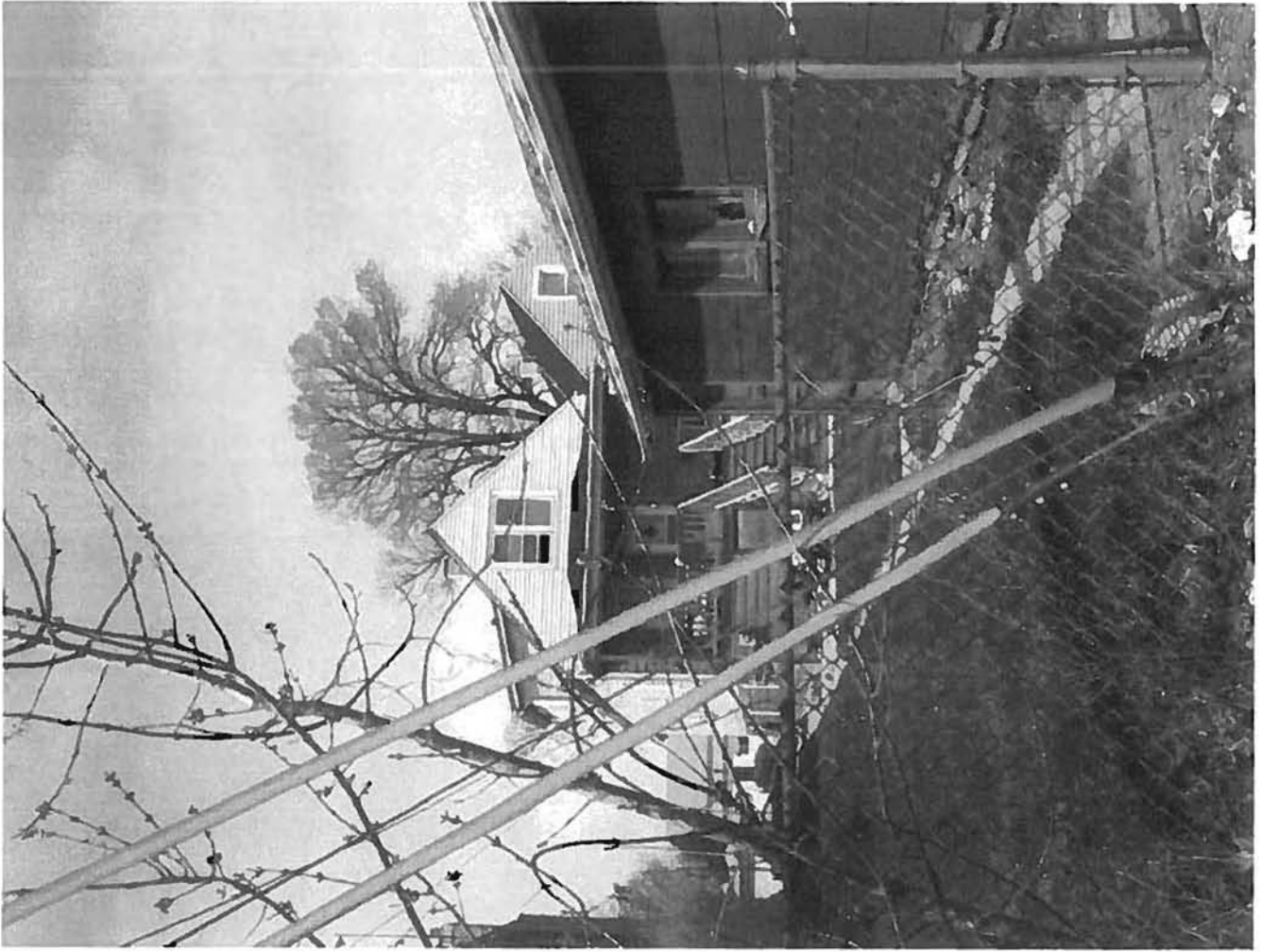
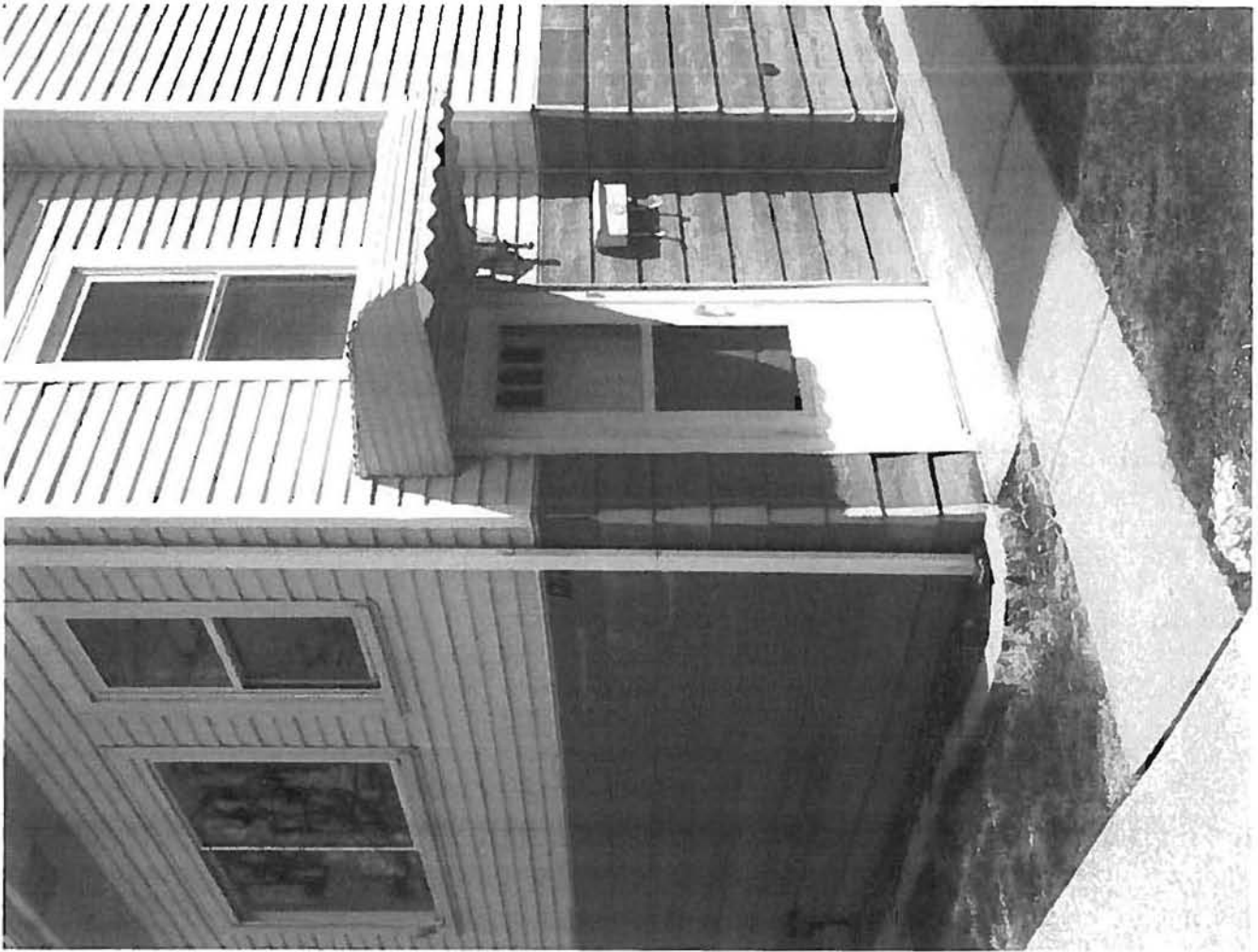


EXHIBIT C



**Mayor**



6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2860 Fax: (708) 788-2875  
www.berwyn-il.gov

Date: 4-7-2011

Re: Block Party 2200 block of Grove Ave

Attached, please find a petition for a block party on the 2200 block  
Of Grove Ave.

The residents request permission to hold the event on August 13th 2011

Thank you for your consideration.

Yours truly,

Ronald L. Milford

Contact person is: Ronald L Milford

Address is: \_\_\_\_\_

Phone number is: \_\_\_\_\_

\*\*\*PLEASE RETURN 3-4 WEEKS PRIOR TO DATE REQUESTED\*\*\*

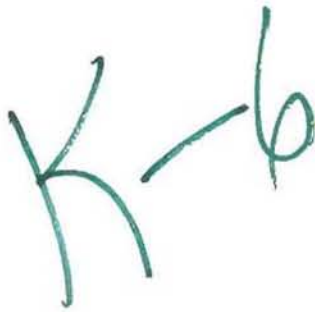


WE THE UNDERSIGNED RESIDENTS OF THE 2200 BLOCK OF Grove Ave  
DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON August 13, 2011  
BETWEEN THE HOURS OF 8AM AND 9PM, OUR RAIN DATE IS 8/14/11

PLEASE USE PROPER CONTAINERS FOR PICKUP BY CLEARING DISPOSAL\*\*

ADDRESS

2229 Grove Ave  
2227 GROVE AVE.  
2237 GROVE  
2231 GROVE AVE  
2223 Grove Ave.  
2219 Grove Ave  
2217 Grove Ave  
22265 Grove Ave  
2224 GROVE AV  
2230 GROVE AVE.  
2234 Grove Ave  
2242 Grove  
2247 Grove Ave.  
2246 Grove Ave  
2228 Grove Ave.  
2222 GROVE AVE  
2235 GROVE AVE.



## South Berwyn Education Foundation

3401 S. Gunderson, Berwyn, IL 60402

708-795-2300

[www.bsd100.org/foundation](http://www.bsd100.org/foundation)



### ***Board of Directors***

#### ***Executive Officers***

Dan Lane,  
President

Debi Suchy,  
Vice President

Kathy O'Connor,  
Secretary

Dolly Konopka,  
Recording Secretary

Al Kveton,  
Treasurer  
\*\*\*\*\*

#### ***Board Members***

Judi Biagi

Bob Fejt

Stan Fields

Jim Immis

Mary Karasek

Jamie Kucera

Joan Maul

Rosann Nicholson

Jose Ramirez

Amy Trejo

Darlene Yoder

Denise Zabojsnik

Joanne Zondol

Dear Mayor Lovero and Berwyn City Council Members,

The South Berwyn Education Foundation would like to thank you very much for the past years that you have approved the use of Janura Park for the Kelly Miller Circus.

Due to the success of this circus, The SBEF would like to plan the date for the Circus for this fall. We would like to ask permission to hold the Circus on September 8, 2011.

Thank you in advance for your consideration in approving this event. We appreciate the cooperation of the City of Berwyn and its services.

Sincerely,

The South Berwyn Education Foundation Members  
and Dan Lane, President

April 20, 2011