

**CITY OF BYRON  
MINUTES OF THE REGULAR COUNCIL MEETING  
WEDNESDAY, SEPTEMBER 1, 2021  
BYRON CITY HALL  
6:30 PM**

1. **CALL TO ORDER** – Mayor Rickard called the meeting to order at 6:33 p.m.
2. **PLEDGE OF ALLEGIANCE** – Led by Mayor Rickard
3. **ROLL CALL – Aldermen present:** Todd Isaacs, Emily Gerdes, Mittzi Fulrath, Cheryl Metz, Zeke Hobbie (via telephone), Jessica Nehring, Michael Gyorkos, Christy Hanlin. Eight members present. **Quorum established.**  
**Aldermen Absent:** None

<b>PRESENT:</b>	<b>Mayor</b>	John Rickard
	<b>City Clerk</b>	Caryn Huber
	<b>City Attorney</b>	Aaron Szeto
	<b>Police Dept.</b>	Jeremy Boehle
	<b>Dir. of Econ. Dev.</b>	Larry Hewitt
	<b>Dir. of Public Works</b>	Aaron Vincer
	<b>City Engineer</b>	Jason Stoll
	<b>Citizens</b>	Pam Kultgen, Bill Pirnat, Jeff & Christie Fillmore

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Motion by Alderman Fulrath to approve, as presented, the September 1, 2021, agenda. Seconded by Alderman Hanlin. Roll call vote: Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 8; NAY, 0; ABS 0.
6. **MINUTES** –
  - a. **August 18, 2021 Committee of the Whole Special Meeting Minutes** - Motion by Alderman Hanlin to approve, as presented, the August 18, 2021, Committee of the Whole Special Meeting Minutes. Seconded by Alderman Metz. Roll call vote: Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 8; NAY, 0; ABS 0.
  - b. **August 18, 2021 City Council Meeting Minutes** - Motion by Alderman Hanlin to approve, as presented, the August 18, 2021, City Council Regular Meeting Minutes. Seconded by Alderman Nehring. Roll call vote: Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 8; NAY, 0; ABS 0.
7. **PUBLIC COMMENT** – None
8. **TREASURER'S REPORT** – Treasurer Huber stated that the monthly revenue report as well as the tax revenue comparison are in Dropbox. Income tax, local use tax and Personal Property Replacement tax were showing significantly less income than the month of August in 2019 and 2020. Because these fluctuate quite a bit from month to month, Treasurer

Huber checked totals for January through August for 2021, 2020 and 2019. We are showing increases over the previous year for all three.

9. **LIST OF BILLS** – Alderman Metz inquired about three charges from Modern Shoe Shop totaling \$230.99. Director Vincer explained the three listings were done in order to split the one charge between three accounts. Alderman Metz also asked about charges from William Charles Electric. There was a detection system problem (it wasn't registering one of the loops that allows the system to detect a car) in the eastbound lane of Route 2/72 at Colfax St. Director Vincer noted that this charge is eligible for partial or full reimbursement through IDOT, and he will submit the request as soon as IDOT will accept it. **Motion by Alderman Hobbie to approve the list of bills dated September 1, 2021, in the amount of \$47,127.79. Seconded by Alderman Hanlin. Roll call vote: Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Gerdes, AYE; Isaacs, AYE; Fulrath, AYE; Metz, AYE. Motion passed: AYE, 8; NAY, 0; ABS 0.**
10. **MAYOR'S REPORT** – Mayor Rickard reported that Alderman Fulrath would like to recognize Jeff Fillmore, who is moving out of town and will be leaving the zoning board. Jeff is the longest seated member of the zoning board, and she commended him on his research, attendance and dedication to serving the city in this capacity. • Congressman Adam Kitzinger was present at city hall earlier in the day and met with the mayor, Buster Barton, Emily Porter, Rockford Area Development Corp, Phil DeMik, Aaron Vincer (representing the Forest Preserve), several realtors and others to discuss his letter to President Biden and the status of the Exelon plant in Byron.
11. **CITY ATTORNEY'S REPORT** – Attorney Szeto reported that he appeared in court today, and Attorney Floski is attempting to reach the Bakers regarding the attorney fees owed to the city. They will return to court in two weeks. • The Rush property closed this morning and the title is being recorded. The Community Services Committee is reviewing two quotes for demolition. The property will need to be removed from the tax rolls and Attorney Szeto's office will take care of that.
12. **CITY ENGINEER'S PROJECT STATUS** – Engineer Stoll reported that Sumner St. is paved and finished. Work on Union St. is continuing. There is some concrete left to do on the sidewalk in front of Spanky's. This will be completed after work on the front of the building is completed. Paving on Union St. will be done next week. Alderman Hanlin asked why the parking was removed on the west side of the street. Engineer Stoll replied that it was due to the narrowness of the street. • The streets planning document is still in process.
13. **DIRECTOR OF ECONOMIC DEVELOPMENT PROJECT STATUS** – Director Hewitt reported that the building front on the new construction on Blackhawk Dr. is done, and the buildout for Athletico is continuing. • Dollar General plans to add an addition on the west side of the old Family Video building, and is requesting a variance. They hope to begin construction this year. • The Route 2 reconstruction project is several years away, but we need to think of opportunities to take advantage of when the street is open (i.e. water-sewer infrastructure) and budget accordingly. IDOT is beginning to make offers to purchase property along the route. Alderman Isaacs asked if a turning lane is planned between the stoplight and the first viaduct. Director Hewitt mentioned that a bike path is included in the plans. A draft of the plans is available if anyone would like to see it. • Director Hewitt reported that Spanky's is doing work on their building. They are shoring up the front and sides, and they plan on demolishing the back half in order to build an addition.
14. **DIRECTOR OF PUBLIC WORKS REPORT** – Director Vincer reported that his department continues to clean up after the storm last Tuesday. They have hauled over 50 loads of brush, and will continue until everything is cleaned up. They are clearing the temporary dump site on the boat dock, and then dumping will no longer be allowed. His tree removal

budget has approximately \$750 left, but there are two additional trees, that are hazardous, that need to be removed at a cost of \$1,000-\$1,500 each. Director Vincer recognized the work of Sisson's tree removal service, and appreciated their assistance in opening roads on the night of the storm. • The city has offered residents free brush chipping every Friday. The chipper is aging. They will continue to fix it, but at some point, a decision will need to be made whether to purchase a new chipper and continue the service, or discontinue this service. • Director Vincer will meet with Attorney Sosnowski to review the pay scale. He needs to hire another full time employee, and would like to have definite information regarding the starting pay as well as future increases. Existing staff were hired out of the pay scale, and he would also like clarity as to their future increases.

- 15. POLICE CHIEF REPORT** – Jeremy Boehle attended the meeting for Chief Murray. The Police and Public Works Department worked well together during the storm. • Several repairs are being done on squad cars.

**16. COMMITTEE REPORTS**

- a. **Community Services** – Alderman Fulrath reported that most items are later on the agenda, but they also discussed the need to plan for the Route 2 reconstruction.
- b. **Public Safety** – No report.
- c. **Administrative** – Alderman Hanlin reported that items discussed by the committee are later in the agenda.

**17. CONTINUING BUSINESS**

- a. **Mill Road Rec Path** – Alderman Fulrath said the committee discussed the new plans for the Mill Road Rec Path. Total estimated cost is \$370,000. Approximately \$250,000 will come from Rebuild Illinois plans, and the balance will need to be included in the 2022 streets budget. Beginning engineering costs will be \$30,000. The committee will continue to discuss.
- b. **Rush Property Demolition** – Two quotes for demolition are being discussed by committee.
- c. **Moring Disposal Increase** – As part of their contract, Moring Disposal will be increasing rates by \$.50. **Alderman Hanlin stated that the committee recommends that council approve passing along the entire increase to citizens. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, NAY; Fulrath, AYE; Metz, AYE; Hobbie, AYE. Motion passed: AYE, 7; NAY, 1; ABS 0.**
- d. **Boat Launch Grant** – The grant application to improve the boat dock has been submitted by Fehr-Graham and Director Hewitt. The total amount of the project is \$280,000, and the grant limit is \$200,000. If the grant is approved, the additional funds could come from the city, or the project could be pared down to meet the grant award.

**18. NEW BUSINESS**

- a. **Ordinance Title 1 Revisions** – The Administrative Committee will continue to discuss at the next meeting.
- b. **Health Insurance Renewal** – The Administrative Committee recommends that council vote to accept the health insurance increase. This is the last year we will be grandfathered in. This item is on the agenda as first read - a vote will be taken at the next council meeting.
- c. **Austin Luepkes-Family Dollar TIF Application** – **Alderman Hanlin reported that the Administrative Committee recommends council approval for the TIF application from Austin Luepkes-Family Dollar. The amount requested is \$19,800, which is 25% of the total project.** Alderman Gerdes asked how much money is remaining in the TIF account. Director Hewitt replied that after the second half of taxes are paid, the account should have \$269,000, and we have \$110,000 in reimbursement obligations. We have discussed repaving the City Hall parking lot. Alderman Gerdes asked if a better use of the money would be to assist businesses, and suggested we possibly award more to the

Family Dollar building. Director Hewitt said we have tried to use the money primarily to assist with façade work. Alderman Metz asked if there were stipulations that the businesses stay in business for a certain amount of time if they are awarded money. Aldermen Isaacs and Metz asked if the TIF applicant could be responsible, for instance, for 50% of the award during the first year, and 25% the second year, if they go out of business. In the case of renovations and repairs, Attorney Szeto has not seen that stipulation, and pointed out that the building facade improvements enhance the appearance no matter who is in it. **Alderman Isaacs motioned that, as part of the TIF agreement, the applicant be responsible for 100% of reimbursement to the city if they are no longer in business within the first year, and 50% reimbursement if they go out of business during the second year after the agreement.** Since the city receives a benefit by improving the look of a building, Alderman Metz feels 100% is too high, and suggests 50% and 25% instead. Mayor Rickard said he will not hear the motion made by Alderman Isaacs. It is new business and it will not be acted upon tonight. The attorney will take this conversation into account when drawing up the agreement. The agreement will be voted on at the next meeting.

- 19. COUNCIL TALK –** Alderman Hobbie received a complaint about loud heavy equipment vehicles on Tower Rd., and asked if there was an ordinance to prevent them from operating during certain hours. Mayor Rickard will check the code and report back. • Alderman Hobbie also has concerns about weeds in the drainage ditch at Tower and Mill Rd. Mayor Rickard said those homes are not within the city limits. • Alderman Metz voiced concerns about grass clippings collecting along the bike path. Director Hewitt replied that there is an ordinance against it if it becomes a problem within the city limits. • Engineer Stoll informed council that he has emailed Chapter 8 of the Executive Summary of the WWTP Facility Plan which includes financial information requested in a previous meeting. He added that if there are any questions regarding Headworks, and the reason why it is not operating properly, please contact him.

**20. COMMUNICATION –**

- a. **Committee of the Whole –** Wednesday, September 15, 2021, 5:00 pm.
- b. **Next Regular City Council Meeting –** Wednesday, September 15, 2021, 6:30 pm.

- 21. ADJOURN –** Alderman Fulrath motioned to adjourn. Seconded by Alderman Isaacs. Roll call vote: Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE, Nehring, AYE.. Motion passed: AYE 8; NAY 0; ABS 0.

Mayor Rickard adjourned the City Council meeting at 7:26 pm.

Respectfully Submitted,

*Caryn A. Huber*

City Clerk of Byron, Illinois

<b>MAYOR JOHN RICKARD</b>	<b>CITY CLERK CARYN A. HUBER</b>
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