

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, JUNE 1, 2022, 6:30 PM
BYRON CITY HALL**

1. **CALL TO ORDER** – Mayor Rickard called the meeting to order at 6:30 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, Jessica Nehring, Michael Gyorkos, Christy Hanlin. Eight members present.
Quorum established.
Aldermen Absent: None

PRESENT:	Mayor	John Rickard
	City Clerk	Caryn Huber
	City Attorney	Aaron Szeto
	Police Chief	Todd Murray
	Dir. of Econ. Dev.	Larry Hewitt
	Dir. of Public Works	Aaron Vincer
	City Engineer	Jason Stoll
	Citizens	Bill Pirnat, Pam Kultgen Kevin Wills (Bernardi Securities)

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Mayor Rickard asked to add Constellation Sewer Extension and Resolution to Appoint IMRF Agent as items 18d. and 18e. under new business. **Motion by Alderman Metz to approve, as amended, the June 1, 2022, 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. **May 18, 2022 - City Council Regular Meeting Minutes - Motion by Alderman Hanlin to approve, as presented, the May 18, 2022, City Council Regular Meeting Minutes. Seconded by Alderman Nehring. Roll call vote: Fulrath, ABS; Metz, AYE; Hobbie, ABS; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 6; NAY, 0; ABS 2.**
7. **PUBLIC COMMENT** – None
8. **TREASURER'S REPORT** – No report.
9. **LIST OF BILLS** – Alderman Isaacs asked about charges totaling \$5,498.75 from Engel Electric for Well #3 heaters. Director Vincer explained that three out of four heaters at the Headworks building failed. They replaced two. Engineer Stoll will see if there are warranties for the heaters. Alderman Gerdes asked about charges from Cornerstone Embroidery. Director Vincer had ordered shirts for the public works department for the year. **Alderman Hanlin motioned to approve the List of Bills dated 6/1/22 in the amount of \$107,822.39. Motion seconded by Alderman Gerdes. 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.

10. MAYOR'S REPORT – No report.

11. CITY ATTORNEY'S REPORT – No report. All items are on the agenda.

12. CITY ENGINEER'S REPORT – Engineer Stoll reported that Struck & Irwin will apply slurry seal next week. Slurry seal is a commercial grade driveway sealer that looks better as it is driven on after application. The chip seal/hot mix projects in town will be done in August.

13. DIRECTOR OF ECONOMIC DEVELOPMENT REPORT – Director Hewitt received word that there is a new federal funding opportunity available and suggested the possibility of applying for the roundabout at Mill and Tower Rds. • A Value Lab that provides low cost lab work and drug screening will be locating where Sweetbean used to be.

14. DIRECTOR OF PUBLIC WORKS REPORT – Director Vincer reported that we did not get the sewer lining grant we had applied for in 2020. • The department has been mowing, including compliance mowing, and spraying. • He is waiting for pricing on the sewer jetter repairs. • Public Works will be power washing the Radiance Salon building in preparation for the mural. A lift will be rented for the project, and Director Vincer will also use the lift for tree trimming. • He will be renting a crack seal machine the first week of July.

15. POLICE CHIEF REPORT – Chief Murray has discussed a plan with Attorney Szeto for the property at 412 E. 2nd St. They will follow the protocol for naming the property as abandoned. The owner is deceased, and the family has not indicated interest in the building. There is no estate. The bank that holds the mortgage has not responded to our inquiries. Once declared abandoned, all liens no longer apply, including the mortgage. Several years of taxes have been sold, but no one has applied for the tax deed. • Chief Murray will look at compliance issues on another property on Sumner.

16. COMMITTEE REPORTS

- a. **Community Services** – Alderman Fulrath reported that all items are on the agenda.
- b. **Public Safety** – No report.
- c. **Administrative** – In addition to items already on the agenda, Alderman Hanlin reported that a second waste disposal proposal is expected. The committee also discussed a TIF application for Spanky's.

17. CONTINUING BUSINESS

- a. **Mill Road Rec Path** – Construction is expected to begin next week. A temporary stop sign will be placed at Old Hunter Run.
- b. **Wastewater Treatment Plant** – Engineer Stoll stated that the timeline will be moving back in hopes of receiving better pricing. They plan to begin looking at equipment.
- c. **City Hall Parking Lot** – Engineer Stoll reported that contracts have been signed and work will begin after ByronFest.
- d. **UTV Ordinance** – Nothing new to report.
- e. **Sunshine Park Purchase** – Director Hewitt expects an updated appraisal (market adjustment) by the end of the week.
- f. **Bond Refinancing/Ordinance** – Alderman Hanlin reported that the **Administrative Committee recommends council approval on this ordinance that allows Bernardi Securities to structure a bond refinance within parameters that we**

will set. Roll call vote: Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.

g. **TARP Grant-Colfax St.** – Nothing new to report.

h. **Fehr Graham Engineering Contract** – Alderman Fulrath reported that the Community Services Committee recommends council approval of the Fehr-Graham engineering services contract for 2022-2023. The fees are approximately \$100 more per month than the previous fiscal year. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.

i. **Declare Excess Equipment-Mower** – Director Vincer reported they he received a new mower and would like to declare the old mower as surplus equipment. Attorney Szeto said that an ordinance is included in Dropbox that authorizes the staff to dispose of the property and allows us to sell the mower by sealed bid, or whatever method we think is appropriate. Alderman Fulrath motioned to approve the ordinance that declares the mower as excess equipment. Motion seconded by Alderman Gyorkos. 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.

18. NEW BUSINESS

a. **Ordinance Adopting Fire Code** – Attorney Szeto reported that we have an Intergovernmental Agreement with the Fire Protection District on tonight's agenda that sets terms and conditions for the Fire Department to inspect commercial and multi-family properties. At this time, we have not adopted the set of rules to follow. The Fire District currently uses the 2015 Fire Code and 2015 Life Safety Code. This ordinance states that the city will adopt the same codes, the Fire Department will inspect, and the City will enforce fire code violations. Alderman Gerdes motioned to bypass first read of the ordinance. Motion seconded by Alderman Gyorkos. Roll call vote: Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0. Alderman Hanlin reported that the Administrative Committee recommends council approval of the ordinance to adopt the 2015 Fire Code and Life Safety Code. Roll call vote: Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.

b. **Intergovernmental Agreement-Byron Fire/City of Byron** – This agreement details the relationship between the Fire Department and the City of Byron. The agreement can be cancelled at any time. The Fire Department has the right to charge fees. Alderman Isaacs motioned to bypass first read of the ordinance. Motion seconded by Alderman Gerdes. 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. Alderman Hanlin reported that the Administrative Committee recommends council approval of the IGA between the Fire Department and the City. 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.

c. **Spanky's TIF Application** – Item is still in committee. Chief Murray added that the establishment has changed names, and will now be referred to as Cox's Roost.

d. **Constellation Sewer Line** – Engineer Stoll reported that Constellation has approved the engineering for the sewer line from their plant to our sewer plant. The agreement will be prepared and should be available at the next meeting.

e. **Resolution Appointing IMRF Representative** – Attorney Szeto explained that a city representative needs to be appointed as the IMRF Representative. Caryn Huber has

taken over the HR duties, and this Resolution names her as the IMRF agent. Item is on the agenda for first read.

- 19. COUNCIL TALK –** Alderman Gerdes asked if the UTV ordinance should specify placement of the UTV sticker. It says it must be prominently displayed but does not specify where it needs to be on the vehicle. Chief Murray said that riders are notified to place the sticker on the back of the vehicle when they apply. They are told verbally, and are also given a list of rules at the time of application.

20. COMMUNICATION –

- a. Regular City Council Meeting – Wednesday, June 15, 2022, 6:30 pm

- 21. ADJOURN – Alderman Isaacs motioned to adjourn. Motion seconded by Alderman Fulrath. 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.**

Mayor Rickard adjourned the City Council meeting at 7:05 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron, Illinois

MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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