

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, NOVEMBER 2, 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. Seven members present.

Aldermen Absent: Alderman Christy Hanlin

PRESENT:	Mayor	John Rickard
	City Clerk	Caryn Huber
	City Attorney	Aaron Szeto
	Dir. of Public Works	Aaron Vincer
	Dir. of Econ Dev.	Larry Hewitt
	Engineer	Jason Stoll
	Police Chief	Todd Murray
	Citizens	Bill Pirnat, Brad Cox, Rick Robeson

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Motion by Alderman Isaacs to approve, as presented, the November 2, 2022, agenda. Seconded by Alderman Metz. Roll call vote: Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE. Motion passed: AYE, 7; NAY, 0; ABS 0.
6. **MINUTES** –
 - a. **October 19, 2022 – Committee of the Whole Minutes** – Motion by Alderman Fulrath to approve, as presented the October 19, 2022, Committee of the Whole Minutes. Seconded by Alderman Isaacs. Roll call vote: Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE; Gerdes, ABS. Motion passed: AYE, 6; NAY, 0; ABS, 1.
 - b. **October 19, 2022 - City Council Regular Meeting Minutes** - Motion by Alderman Metz to approve, as presented, the October 19, 2022, City Council Regular Meeting Minutes. Seconded by Alderman Nehring. Roll call vote: Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE; Gerdes, ABS; Fulrath, AYE. Motion passed: AYE, 6; NAY, 0; ABS 1.
7. **PUBLIC COMMENT** – Brad Cox has co-owned Spanky's Bar and Grill for the last 25 years. He and his wife now own the business, and the name will be changed to Cox's Roost. They are bringing the building, built in 1900, up to code. Several items need to be discussed with the city, including water and sewer in the alley and a handicapped accessible sidewalk/ramp. Rick Robeson, contractor for the project, explained that they have been working on a design since March, and now have the permits to begin the work. The alley will need to be blocked off for approximately six months, starting in two weeks. They will need a new water hook up to accommodate a new sprinkler system (spring). He has

discussed the project with neighboring businesses, and no issues have been raised. Alternative routes for alley access were discussed. Director Vincer suggested speaking with the apartment owner on Third St. since that is where traffic will be entering the alley. Mr. Cox would like to work with the city as questions arise.

8. **TREASURER'S REPORT** – No report.
9. **LIST OF BILLS** – Alderman Hobbie and Alderman Metz asked about the TIF payments that appear on the list of bills. They are annual payments based on the tax increment. Alderman Metz asked about the duration of the agreements. Director Hewitt explained that our TIF expires in 2027. She specifically asked about the payment to Carol Atchison, since she hasn't been in business for the past year. Director Hewitt said that the payment is based on last year's taxes, and this is the last payment she will receive. TIF agreements do not transfer. **Alderman Hobbie motioned to approve the list of bills dated 11/02/22 in the amount of \$366,407.74. Motion seconded by Alderman Fulrath. Roll call vote: Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.**
10. **MAYOR'S REPORT** – Mayor Rickard reported that IDOT will be holding a public meeting regarding the Route 2 reconstruction via Zoom on November 17. An email with details has been sent to Aldermen, and it will be put on the City's Facebook page. • Mayor Rickard announced that the City Christmas party will be held on Tuesday, December 13, from 6-9pm at PrairieFire.
11. **CITY ATTORNEY'S REPORT** – Attorney Szeto heard back from U.S. Solar. After having communicated with the county and the State's Attorney, U.S. Solar is asking if council will revise or amend the resolution that states the city expresses no position regarding the proposed development of a Community Solar Garden on Conger Road. They are asking for the city to state that they approve of the county moving forward with a review of the project. If we do not amend the City's resolution, the County will not consider reviewing the project. By consensus, the council decided not to amend the resolution.
12. **CITY ENGINEER'S REPORT** – All items are on the agenda.
13. **DIRECTOR OF ECONOMIC DEVELOPMENT REPORT** – All items are on the agenda.
14. **DIRECTOR OF PUBLIC WORKS REPORT** – Director Vincer reported that they have removed the boat docks. • The Friday chipper service is discontinued until spring. • Director Vincer reminded council that leaves are not to be raked into the street or burned in the street. Clerk Huber will post this on Facebook. The Police should be alerted if residents are burning leaves in the street, as it is an ordinance violation. • A mis-marked water main was hit this week. Kelsey was called to assist. Water service should be at 100% by tonight. • Lights are out at the stoplights at Walnut and Blackhawk Dr. The lights will be replaced with LED lights. We have a 50/50 reimbursement agreement with IDOT. Total cost will be approximately \$4,000.
15. **POLICE CHIEF REPORT** – Chief Murray reported that bridgework is complete, and lights are being removed. • Halloween was uneventful.
16. **COMMITTEE REPORTS**
 - a. **Community Services** – All items are on the agenda.
 - b. **Public Safety** – No report.
 - c. **Administrative** – All items are on the agenda.

17. CONTINUING BUSINESS

- a. **Sunshine Park Purchase** – Alderman Fulrath reported that the committee reviewed and discussed the revised plan submitted by Hairy Cow Brewery. Discussion will continue.
- b. **Wastewater Treatment Plant** – Director Vincer reported that he and several others will be touring wastewater treatment plants next week.
- c. **TARP Grant-Colfax St.** – Plans have been reviewed by IDOT. Engineer Stoll anticipates a January bidding on the project. A Resolution to Establish a Class II Truck Route appears later in the agenda. It is an IDOT requirement.
- d. **Constellation Sewer Extension** – Engineer Stoll reported that soil borings are complete. A preliminary engineering report will be ready by the end of the month. Alderman Isaacs asked if they have had any response from property owners, but Engineer Stoll replied that they have not contacted them yet. This will happen when the final alignment is determined.
- e. **Water/Sewer Rate Review** – Alderman Isaacs will have a recommendation by the next meeting.
- f. **Moring Waste Disposal – Resident Fees** – Alderman Nehring reported that the Administrative Committee has reviewed the resident fee structure and recommends reducing the waste disposal fee to residents by approximately \$2.00/month. This is a result of Moring lowering our costs in the new contract. Attorney Szeto will prepare an amendatory ordinance by the next meeting.
- g. **Comprehensive Plan** – Mayor Rickard reported that an RFP will be prepared to choose a company to handle the comprehensive plan update. He is researching possible grant money available.
- h. **Sale of Surplus Property – Detention Pond** – The public notice has been published for three weeks as legally required. Attorney Szeto opened one sealed bid from Danielle Myers, received at 3:12 pm on November 2, 2022. The bid was for \$1,200. Ms. Myers will continue to maintain the property as a detention pond, and will not alter or build on the property. **Alderman Metz motioned to finalize the sale of the detention pond to Ms. Myers. Motion seconded by Alderman Gerdes. Roll call vote: Nehring, AYE; Gyorkos, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.** Attorney Szeto will prepare the paperwork.
- i. **Purchasing Property for Public Works Building** – Alderman Fulrath stated that the committee discussed an alternative site for the public works building and recommended that conversations continue with the Forest Preserve. The property is located by the Forest Preserve Maintenance Buildings and is contiguous with Well 5. The location would allow the City and the Forest Preserve to work together and share resources when needed. The site is also next to the City salt storage. The proposed location will be discussed for formal action at the next Forest Preserve Board meeting. The Forest Preserve is allowed to gift 1.5 acres to another taxing body. Attorney Szeto will amend a formal letter to the Forest Preserve.
- j. **RFP-Public Works Building** – RFPs are due November 15.
- k. **Ordinance Authorizing Disposal of Property-Police Squad Cars** – Chief Murray stated that the ordinance allows the department to sell two vehicles by sealed bid. They have been stripped of all markings. The outfitter does not want them since they have transmission and front-end issues. Alderman Gerdes suggested that we consider donating the vehicles to the Fire Department for extrication training. **Alderman Gerdes motioned to declare the two squad cars as excess equipment. Motion seconded by Alderman Nehring. Roll call vote: Gyorkos, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.**

18. NEW BUSINESS

- a. **Tax Levy** – No report.

b. **Bergagna Alley Vacation – 113 E. 2nd St. North Side Alley** – Alderman Fulrath reported that the Community Services Committee recommends vacation of the alley at 113 E. 2nd St. Vote will be taken at the next meeting.

c. **Head Zoning Variance** – The Zoning Board met to discuss a zoning variance for Chris Head at 1114 W. 2nd St. His property currently has a one car garage. He is asking to add an addition to the garage and is asking for a 3' setback instead of the required 10'. The Zoning Board voted in favor of the variance. Attorney Szeto will prepare the variance to be voted on at the next meeting.

d. **Resolution Establishing Class II Truck Route on Colfax St.** – This is a requirement for the TARP Grant. **Motion to bypass first read by Alderman Hobbie. Motion seconded by Alderman Metz. Roll call vote: Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0. The Community Services Committee recommends passage of the resolution. Roll call vote: Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.**

19. **COUNCIL TALK** – Alderman Hobbie inquired about crosswalk signs at Glacier and Kingsway. Engineer Stoll replied that all crosswalks should have signs. He will have signs installed. • Alderman Nehring stated that the Administrative Committee discussed the possibility of increasing salaries for elected officials. Attorney Szeto stated that increases must be voted on at least 180 days before an election. Council will revisit the subject prior to the April 2025 election. • Alderman Metz added that the Administrative Committee discussed an ordinance that limits the length of vehicles to 14 ft. on angled parking. She is concerned that the longer vehicles pose a safety hazard, particularly downtown on 2nd St. Mayor Rickard asked to have the subject added on the Public Safety agenda. • Alderman Gerdes thanked Brad Cox for the update on Spanky's. • Alderman Isaacs added that he distributed a budget comparison to department heads and added on Dropbox. There are a few areas that need to be reviewed.

20. **COMMUNICATION** –

- a. Regular City Council Meeting – Wednesday, November 16, 6:30 pm.

21. **ADJOURN** – Alderman Gyorkos motioned to adjourn. **Motion seconded by Alderman Fulrath. Roll call vote: Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.**

Mayor Rickard adjourned the City Council meeting at 7:22 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron, Illinois

MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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