

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, JULY 19, 2023, 6:30 PM
BYRON CITY HALL**

1. **CALL TO ORDER** – Mayor Rickard called the meeting to order at 6:30 pm.
2. **PLEDGE OF ALLEGIANCE** – Led by Mayor Rickard
3. **ROLL CALL – Aldermen present:** Emily Gerdes (by phone), Mittzi Fulrath, Ron Boyer, Jessica Nehring, Michael Gyorkos. Christy Hanlin (by phone). Six members present.

Aldermen Absent: Todd Isaacs

PRESENT:	Mayor	John Rickard
	City Administrator	Brian Brooks
	City Clerk	Caryn Huber
	City Attorney	Aaron Szeto
	Police Chief	Todd Murray
	Public Works Dir.	Aaron Vincer
	City Engineer	Jason Stoll
	Citizens	Pam Kultgen, Bill Pirnat

Alderman Nehring motioned to allow Aldermen Gerdes and Hanlin to participate by phone. Motion seconded by Alderman Gyorkos. Roll call vote: Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Mayor Rickard, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0.

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Motion by Alderman Fulrath to approve, as presented, the July 19, 2023, agenda. Seconded by Alderman Boyer. Roll call vote: Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Gerdes, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.
6. **MINUTES** –
 - a. **July 5, 2023 – City Council Regular Meeting Minutes** – Motion by Alderman Boyer to approve, as presented, the July 5, 2023, City Council Regular Meeting Minutes. Seconded by Alderman Fulrath. Roll call vote: Boyer, AYE; Nehring, ABS; Gyorkos, AYE; Hanlin, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 5; NAY, 0; ABS 1.
 - b. **June 28, 2023 – Committee of the Whole Minutes** – Motion by Alderman Nehring to approve, as presented, the June 28, 2023, Committee of the Whole Minutes. Motion seconded by Alderman Boyer. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE. Motion passed: AYE, 6; NAY, 0; ABS 0.
 - c. **June 7, 2023 and June 21, 2023 - Correction of Minutes** – Clerk Huber stated that there is a mistake on the June 7 and 21 City Council minutes. At the end of both minutes, it states that Alderman Fulrath adjourned the meeting. It should read that Mayor

Rickard adjourned both meetings. **Motion to approve the corrections by Alderman Fulrath. Motion seconded by Alderman Gyorkos. Roll call vote: Gyorkos, AYE; Hanlin, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Nehring, AYE. Motion passed: AYE, 6; NAY, 0; ABS 0.**

7. **PUBLIC COMMENT** – None
8. **TREASURER'S REPORT** – Treasurer Huber reported that the June Treasurer's report and documents are in Dropbox. She stated that CD 25849 matured this week and the money was transferred to the General Fund-Streets Public Fund.
9. **LIST OF BILLS** – Alderman Gyorkos motioned to approve the List of Bills dated 07/19/23, in the amount of \$158,796.89. Motion seconded by Alderman Boyer. Roll call vote: Hanlin, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.
10. **MAYOR'S REPORT** – Mayor Rickard played three videos that he had filmed about Byron. The videos will be used on the City's website and will be linked with Ogle County Economic Development, other cities/towns in Ogle County and government organizations.
11. **CITY ADMINISTRATOR'S REPORT** – No report. All items are on the agenda.
12. **CITY ATTORNEY'S REPORT** – No report. All items are on the agenda.
13. **CITY ENGINEER'S REPORT** – Engineer Stoll reported that slurry seal was completed today. Merchant St. (paving and manholes) and N. Fox Run will be completed next week. Work on Tower/Colfax will be finished before school starts. The railroad has signed off on the work. The road will remain open to traffic.
14. **DIRECTOR OF PUBLIC WORKS REPORT** – Director Vincer reported that he will meet with Larson & Darby and CORD to work on the Public Works Building design. Norup Trenching did perc testing for the septic at the site, but the results were not as good as they had hoped. Mr. Norup will present some possible solutions. The City received a funding notice from the IEPA for the wastewater treatment plant project. This is the letter prior to facility plan approval. We do not have to hold a public hearing, but there is the opportunity for public comment. Director Vincer thanked Gene Stoll for being the engineer on construction sites, as well as city hall staff that typically field phone calls when construction projects are in progress.
15. **POLICE CHIEF REPORT** – Chief Murray reported that he has one candidate out of six applications that he is moving forward. The candidate is new to the area but has had some training already. The background check is in process and a psych test is being scheduled.
16. **COMMITTEE REPORTS**
 - a. **Community Services** – No report.
 - b. **Public Safety** – Alderman Nehring reported that ByronFest was uneventful this year. The Police Department received assistance from the Ogle County Sheriff's office, both with on duty and off duty officers. Chief Murray feels that the bars not being open late helps keep incidents low.
 - c. **Administrative** – Administrator Brooks reported for Alderman Isaacs. The Administrative Committee meeting was held on Wednesday, June 14. We received notice that health insurance is increasing by 9.9% on October 1. The agent is doing some

comparables. We will need to know if we are changing plans by September 1 • Because of absences on August 16, the next Administrative Committee meeting will be Wednesday, August 2, at 5:00 pm. • The committee is reviewing the Community Room use and fee policy. • The committee is also reviewing a request by Todd McLester at Hairy Cow Brewery to vacate the Peru St. ROW. The committee will invite him to come and speak with them regarding his ideas for using the ROW. • Administrator Brooks spoke with Rich Neiman regarding rehabbing the County Market Laundromat. Mr. Neiman would like to include gaming machines at the laundromat. The committee did not vote, but by consensus agreed that they are not willing to move away from the restaurant/bar requirement for gaming.

17. CONTINUING BUSINESS

a. **Annual Employee Wage Increases** – Administrator Brooks explained that Brian Malone and Gary Treese received a step up pay increase in May. After the increase was approved, an error was found in that they did not receive a COLA increase. The new chart has the current wages, which will be retroactive to May of this year. The chart also includes new full time employee Austin Yuill. His starting wage was \$19.02 due to his having a CDL license and certification as a diesel mechanic. **The Administrative Committee recommends council approval of the wage increases as presented. Roll call vote: Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**

b. **221 N. Walnut St. Sidewalk Replacement TIF Agreement** – The TAS committee continues to explore other options for the handicapped ramp.

c. **Fehr Graham 221 N. Walnut St. Sidewalk Engineering Proposal** – Hold for now until ramp placement is determined.

d. **Mural – Concept Plan and Service Agreement** - Clerk Huber reported that she spoke with the artists and provided them with feedback from the council on their concept design. The updated design was presented to the Administrative Committee. The Committee approved the design with one exception. There were some stalks along the bottom of the picture that looked like wheat. The committee requested that the stalks be prairie grasses and flowers. That change is reflected in the draft being presented tonight. Administrator Brooks stated that there is a standard agreement between the City and the artists, and he asked for approval to sign the contracts. **Alderman Nehring motioned to approve the mural design and authorize Administrator Brooks or Mayor Rickard to sign the agreement once it is finalized. Motion seconded by Alderman Hanlin. Roll call vote: Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, NAY; Hanlin, AYE; Gerdes, AYE. Motion passed: AYE, 5; NAY, 1; ABS. 0.**

e. **Bergagna Alley Vacation Reconsideration** – No report. The two parties have not contacted Administrator Brooks.

f. **Chastain Agreement for Comprehensive Plan** – Administrator Brooks has verified that the total cost for the comprehensive plan update is \$60,000. There will be no additional fees above that. The agreement and scope of work are included in Dropbox. **Alderman Fulrath motioned to approve the Chastain agreement and proceed with the Comprehensive Plan update. Motion seconded by Alderman Nehring. Roll call vote: Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 6; NAY, 0; ABS. 0.** Administrator Brooks added that the next step will be a kick-off meeting.

g. **Fehr Graham Alley Vacation Proposal** – No update.

18. NEW BUSINESS –

a. **Elected Officials Pay** – The Administrative Committee discussed the topic of elected officials pay. The pay has not been adjusted since 2008. They were not in favor of

increasing pay, however, they agreed to increase the number of excused absences from two to three. It will not go into effect until the official's re-election. Since the council was in general agreement with the change, Attorney Szeto will prepare the ordinance to be voted on at the next meeting.

19. COUNCIL TALK – None

- 20. EXECUTIVE SESSION - Executive Session pursuant to 5 ILCS120/2(c)(5) of the Illinois Open Meetings Act to discuss Collective Negotiating/Bargaining and 5ILCS120/2(c)(21) of the Illinois Open Meetings Act to Review Closed Session Minutes. – Alderman Gyorkos motioned to go into Executive Session at 7:08 pm. Motion seconded by Alderman Boyer. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0. Mayor Rickard, Administrator Brooks, Attorney Szeto and Clerk Huber remained.**

Council returned from Executive Session at 8:04 pm. Council members present: Fulrath, Boyer, Nehring, Gyorkos, Hanlin, Gerdes. Also present: Mayor Rickard, Administrator Brooks, Attorney Szeto, Clerk Huber. Mayor Rickard stated there was no action taken during Executive Session. Minutes reviewed will be voted on at the next City Council meeting.

21. COMMUNICATION –

- a. Regular City Council Meeting – Wednesday, August 2, 6:30 pm.

- 22. ADJOURN – Alderman Fulrath motioned to adjourn. Motion seconded by Alderman Nehring. Roll call vote: Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**

Mayor Rickard adjourned the City Council meeting at 8:04 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron, Illinois

MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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