

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, AUGUST 16, 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:** Todd Isaacs, Emily Gerdes, Mittzi Fulrath, Jessica Nehring, Michael Gyorkos. Five members present.

Aldermen Absent: Ron Boyer, Christy Hanlin

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, Herberto Santiago, Deanna Mershon (Byron Chamber), Jim Engelhardt
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Alderman Nehring motioned to allow Aldermen Hanlin to participate by phone. Motion seconded by Alderman Isaacs Roll call vote: Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0. Six members present.

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Motion by Alderman Isaacs to approve, as presented, the August 16, 2023, agenda. Seconded by Alderman Gyorkos. Roll call vote: Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.
6. **MINUTES** –
 - a. **August 2, 2023 – City Council Regular Meeting Minutes** – Motion by Alderman Fulrath to approve, as presented, the August 2, 2023, City Council Regular Meeting Minutes. Seconded by Alderman Isaacs. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 6; NAY, 0; ABS 0.
7. **PUBLIC COMMENT** – None
8. **TREASURER’S REPORT** –Treasurer Huber stated that the monthly report for July is in Dropbox.
9. **LIST OF BILLS** –

There are two lists of bills. The first is for a final \$114,926.65 payment to Struck & Irwin Paving for slurry seal. It will be discussed later in the agenda.

Alderman Isaacs motioned to approve the List of Bills dated 08/16/23, in the amount of \$149,099.42. Motion seconded by Alderman Gerdes. Roll call vote: Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE Gerdes, AYE; Fulrath, AYE; Nehring, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.

- 10. MAYOR'S REPORT** – Mayor Rickard reported that Corrine Bicker has been hired as a crossing guard. • The Mayor has authorized Fehr Graham to apply for a Rural Surface Transportation Grant for a roundabout at Mill and Tower Rd. The US Department of Transportation grant covers engineering and construction at a 10% match. The benefit/cost analysis that Fehr Graham had put together for a previous grant application is good for 5 years and will be used for this grant as well. Fehr Graham's fee is \$6,900. The application includes a rec path to Brighton Ridge.
- 11. CITY ADMINISTRATOR'S REPORT** – Administrator Brooks reported that the Park District board voted last night to allow UTV's in the parking lots of their four parks. Executive Director Paul Zepezauer will draft a letter to City Council stating that the Park District Board voted to approve the change and request a change to our ordinance. It will be discussed at the next Public Safety meeting. • Administrator Brooks is still looking for recommendations for the Executive Committee of the Comprehensive Plan.
- 12. CITY ATTORNEY'S REPORT** – No report. All items are on the agenda.
- 13. CITY ENGINEER'S REPORT** – Engineer Stoll reported that most of the work is complete on Colfax/Tower Rd. A railroad flagger was not available until today. Pavement was removed at the railroad tracks today, and paving will be done tomorrow at Colfax and Mineral streets. The manholes and re-surfacing of Merchant St. will be done after Labor Day.
- 14. DIRECTOR OF PUBLIC WORKS REPORT** –
 - a. Public Works Building Update - Director Vincer gave a report on the new Public Works building. The proposed site for the new building requires a lot of sitework that is estimated to cost \$250,000. If the building is built closer to River Road where the ground is flatter, it could potentially cut the sitework by 90%. In addition, moving closer to the road would require less roadway to build and better septic options. Savings should also be seen in running utilities to the building. Director Vincer believes this change could potentially save \$250,000. He will present this option to the Forest Preserve Board next week. There was no opposition from council members to move forward with this option.
 - b. Wastewater Treatment Plant – No update.
 - c. Other – Director Vincer stated that water bills will be increased by the CPI of 3%. The increase will appear on November billing statements for September usage. • Director Vincer will begin to price salt for winter. • Alderman Isaacs asked about the Constellation Sewer Line Project. Director Vincer replied that the project is still being discussed. • Alderman Fulrath asked about the east end of River Dr. Director Vincer stated that the road is slated for next year's street projects, but they will saw cut and patch this year.
- 15. POLICE CHIEF REPORT** – No report.
- 16. COMMITTEE REPORTS**
 - a. **Community Services** – No report.

- b. **Public Safety** – No report.
- c. **Administrative** – No report.

17. CONTINUING BUSINESS

- a. **221 N. Walnut St. Sidewalk Replacement** – A meeting was held with Brad Miller to discuss options for his ramp. Research will be done regarding a mechanical lift to determine if one will work in this situation. Alderman Gerdes confirmed that Mr. Miller will be responsible for repairs of the ramp if needed after the initial installation.
- b. **Fehr Graham 221 N. Walnut St. Sidewalk Engineering Proposal** – No update.
- c. **Ordinance Amending the Number of Missed Meetings for Elected Officials** – Attorney Szeto stated that the ordinance in Dropbox changes the number of meetings elected officials can miss, without a decrease in pay, from two to three. Alderman Gerdes had a question regarding how many times they may participate electronically. Attorney Szeto stated that the reasons to participate electronically are determined by state statute and are not addressed in this ordinance. **The Administrative Committee recommends Council approval of the ordinance. Roll call vote: Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**
- d. **Employee Health Insurance** – The Administrative Committee recommends council approval for keeping our current employee health insurance plan. Roll call vote: Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.

18. NEW BUSINESS –

- a. **Struck & Irwin Slurry Seal Final Payment** – The bill for the final payment (\$114,926.65) to Struck & Irwin Paving for slurry seal is in Dropbox. The contract price was \$117,298.46 but the final cost was \$114,926.65. **Alderman Isaacs motioned to bypass first read. Motion seconded by Alderman Gerdes. Roll call vote: Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0. Alderman Fulrath motioned to approve the final payment of \$114,926.65 to Struck & Irwin Paving. Motion seconded by Alderman Gerdes. Roll call vote: Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**
- b. **Ordinance Approving Variance for 6754 N. Friday Rd.** – Administrator Brooks reported that the Zoning Board of Appeals met last week to discuss a requested variance at 6754 N. Friday Rd. The request was to increase the maximum height of an accessory building from 15 ft. to 17 ft. in order for the resident, Jim Engelhardt, to install a lift for vehicle repairs. **The ZBA recommends council approval of the variance. Alderman Gyorkos motioned to bypass first read. Motion seconded by Alderman Gerdes. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0. Alderman Fulrath motioned to approve the ordinance granting the variance at 6754 N. Friday Rd. Motion seconded by Alderman Isaacs. Roll call vote: Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**
- c. **Community Room Use and Fee Policy** – Administrator Brooks stated that the Administrative Committee has reviewed the Community Room Use and Fee Policy and recommends council approval of several changes. Recommended cleaning fees are as follows: \$25/month for not-for-profit groups. Allows up to one meeting per week per month. \$50/month for Business Entities. Allows up to one meeting per week per month. \$25/event for City residents. \$50/event for non-City residents. Administrator Brooks also took off the language that prohibits teen birthday parties but left in the prohibition of dancing and bands. Changes will begin with all new scheduling of the room. **Alderman Gyorkos**

motioned to bypass first read. Motion seconded by Alderman Isaacs. Roll call vote: Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0. The Administrative Committee recommends council approval of the proposed changes. Roll call vote: Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.

d. **ChiliFest Approval-October 21, 2023** – Byron Chamber Executive Director, Deanna Mershon, presented information about ChiliFest on October 21, 2023, from 11am-5pm. She is asking for council approval of the closing of the street and sidewalk of the 100 W. Second St. block, approval of event layout, and approval for the Mayor to make last minute decisions if necessary. Additional information is included in Dropbox. **Alderman Gerdes motioned to bypass first read. Motion seconded by Alderman Nehring. Roll call vote: Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0. Alderman Fulrath motioned to approve the Chamber's ChiliFest proposal as presented. Motion seconded by Alderman Isaacs. Roll call vote: Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**

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 7:02 pm. – Motion seconded by Alderman Fulrath. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0. Mayor Rickard, Administrator Brooks, Attorney Szeto and Clerk Huber remained.

21. RECONVENE REGULAR CITY COUNCIL MEETING - Council returned from Executive Session at 7:17pm. Council member present: Gyorkos, Hanlin, Isaacs, Gerdes, Fulrath, Nehring. Also present: Mayor Rickard, Administrator Brooks, Attorney Szeto, Clerk Huber. Mayor Rickard stated there was no action taken during Executive Session.

22. APPROVAL OF EXECUTIVE SESSION MINUTES –

a. **July 19, 2023-Executive Session Minutes – Motion by Alderman Gerdes to approve, but not release, the Executive Session Minutes from July 19, 2023. Motion seconded by Alderman Gyorkos. Roll call vote: Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**

b. **August 2, 2023-Executive Session Minutes - Motion by Alderman Fulrath to approve, but not release, the Executive Session Minutes from August 2, 2023. Motion seconded by Alderman Gerdes. Roll call vote: Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**

21. COMMUNICATION –

a. **Regular City Council Meeting – Wednesday, September 6, 6:30 pm.**

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

Mayor Rickard adjourned the City Council meeting at 7:19 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron, Illinois

MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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