

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, SEPTEMBER 20, 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, Mittzi Fulrath, Ron Boyer, Jessica Nehring, Michael Gyorkos. Five members present.

Aldermen Absent: Emily Gerdes, 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	Herberto Santiago, Pam Kultgen, Bill Pirnot, Mike Rock

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Motion by Alderman Gyorkos to approve, as presented, the September 20, 2023, agenda. Seconded by Alderman Fulrath. Roll call vote: Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0.
6. **MINUTES** –
 - a. **September 6, 2023 – City Council Regular Meeting Minutes** – Motion by Alderman Boyer to approve, as presented, the September 6, 2023, City Council Regular Meeting Minutes. Seconded by Alderman Isaacs. Roll call vote: Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE; Fulrath, AYE. Motion passed: AYE, 5; NAY, 0; ABS 0.
7. **PUBLIC COMMENT** – Ogle County State's Attorney Mike Rock addressed the council and advised them of his running for re-election. He will be on the primary ballot in March.
8. **TREASURER'S REPORT** – Treasurer Huber stated that the Treasurer's report for August is in Dropbox. CD 26300 matured on September 12. Current CD interest is 4.72% for 13 months. Because our Public Funds are at 5.43% interest, a new Public Fund named Water Utility Trust was opened and the funds from this CD (\$111,916.05) were transferred there. It was recently discovered that the City of Byron had unclaimed property at the Illinois Treasurer's office. Seven claims were filed and \$1,023.82 plus \$20.32 in interest was recently received by the city.

9. **LIST OF BILLS** – Three Lists of Bills are in Dropbox. The two lists for Martin & Co. will be discussed later in the agenda. **Alderman Isaacs motioned to approve the List of Bills dated 09.20.23, in the amount of \$112,336.13. Motion seconded by Alderman Nehring. Roll call vote: Nehring, AYE; Gyorkos, AYE; Isaacs, AYE; Fulrath, AYE; Boyer, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0.**
10. **MAYOR’S REPORT** – No report.
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 Martin and Co. is approximately 10 days out on Merchant St. manholes and paving.
14. **DIRECTOR OF PUBLIC WORKS REPORT** –
- a. Public Works Building Update - Director Vincer reported that he and Administrator Brooks will meet with the Fire Department next week regarding the property at Water and Tower Rds.
 - b. Wastewater Treatment Plant – A meeting with Engineer Matt Johnson will be scheduled to review design plans. Engineer Stoll reported that we received EPA approval of the new treatment plan design.
 - c. Other – Director Vincer stated the EPA conducted a water inspection this week. Director Vincer has addressed the few items they cited during the inspection. • The department is replacing missing and damaged street signs. • The auto flusher has been installed at the end of Devil’s Lane. This should improve the water quality in that area.
15. **POLICE CHIEF REPORT** – Chief Murray reported that a new car is reserved at our regular vendor. He hopes to receive it next month. Chief Murray has been working with Administrator Brooks to streamline the process of obtaining background checks for new hires, solicitors, peddlers and mobile food vehicles. He has signed up for a company that can report on criminal history, background checks and credit checks. The fees incurred for the service will be passed on to the vendors in their fee. Our cost is \$10 a month to use the service. Vendor checks are \$19.10.
16. **COMMITTEE REPORTS** –
- a. **Community Services** – No report.
 - b. **Public Safety** – Alderman Nehring reported that Chief Murray covered most items under his report but added that Officer Hankins is now out on his own and doing well.
 - c. **Administrative** – Alderman Isaacs reported that the committee reviewed and approved the preliminary audit. The auditor will attend the next meeting and will be available to answer questions. • The committee discussed current building codes. We currently use the 2006 version and would like to update to the 2021 building codes. • A process similar to mud jacking will be used at 221 N. Walnut St. in an effort to raise the ramp and lessen the gap between the building and the ramp. The committee voted to move forward with a TIF agreement with Brad Miller, not to exceed \$6,000, for the work on the ramp.
17. **CONTINUING BUSINESS**
- a. **221 N. Walnut St. Sidewalk Replacement** – Administrator Brooks reported that a TIF agreement with Brad Miller will be presented at the next meeting.

b. **Fehr Graham 221 N. Walnut St. Sidewalk Engineering Proposal** – No update. Item will be on Community Services agenda in October.

18. NEW BUSINESS –

a. **Ordinance Declaring 412 E. 2nd St. as Surplus Property and Method of Disposal** – Alderman Isaacs motioned to bypass first read of the ordinance. Motion seconded by Alderman Nehring. Roll call vote: Gyorkos, AYE; Isaacs, AYE; Fulrath, AYE; Boyer, AYE; Nehring, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0. Attorney Szeto stated that a minimum bid price still needs to be determined and entered on the ordinance. Alderman Isaacs suggested a minimum bid of \$5,000 and the other aldermen agreed. **Alderman Nehring motioned to approve the ordinance declaring 412 E. 2nd St. as surplus property and to receive sealed bids with a minimum bid of \$5,000. Motion seconded by Alderman Isaacs. Roll call vote: Isaacs, AYE; Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0.**

b. **Audit Approval** – First read tonight. Will discuss further at the next meeting.

c. **Fehr Graham Final Pay Estimate to Martin & Company – TARP Colfax/Tower** – Mayor Rickard explained that this request is to approve the final payment to Martin & Co. for the TARP Colfax/Tower project, pending IDOT approval. If IDOT approves, they will release the balance of the grant funds to the city and then the check to Martin will be released. Engineer Stoll added that the total price of the project is \$456,785.37 which is 3.2% over budget. The reason for the overage is because of the increased amount of mix needed to build up the crown of the street. **Alderman Fulrath motioned to approve the final payment to Martin & Co., pending IDOT approval. Motion seconded by Alderman Gyorkos. Roll call vote: Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0.**

d. **Fehr Graham Final Pay Estimate to Martin & Company – Mineral St. –** Engineer Stoll stated that the city had trouble receiving their permit from the railroad for work on Mineral St. in a timely manner. In order to meet the completion date requirements for Mineral St., Rock Road gapped the area around the railroad tracks. After the city received the railroad permits, Martin & Co. finished the approach to the railroad tracks. This bill includes railroad insurance, railroad flaggers and 63 tons of asphalt for a total of \$9,175.06. The cost of the asphalt was deducted from the Rock Road invoice. **Alderman Boyer motioned to approve the payment to Martin & Co. for \$9,175.06. Motion seconded by Alderman Gyorkos. Roll call vote: Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Isaacs, AYE; Fulrath, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0.**

e. **Fehr Graham Proposal for Engineering-Source Water Protection Plan –** Director Vincer stated that the EPA is requiring a public water supply to have a source water protection plan, due in July 2024. Fehr Graham's proposal for the plan is \$5,000. First read tonight. Item will remain on agenda for the next meeting.

f. **Trick or Treat Hours** – Mayor Rickard had a request to move Trick or Treat hours to Saturday or Sunday. Even though moving to a Sunday would still be a school night, the hours could be adjusted which would allow having more daylight to trick or treat. Mayor Rickard recommended setting the Trick or Treat day and times to Sunday, October 29 from 4-7pm. There was no objection from council members.

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. – No Executive Session. A mediation date is set for October 3.

21. RECONVENE REGULAR CITY COUNCIL MEETING – No Executive Session

22. APPROVAL OF EXECUTIVE SESSION MINUTES –

a. **August 16, 2023-Executive Session Minutes – No vote**

21. COMMUNICATION –

a. Regular City Council Meeting – Wednesday, October 4, 6:30 pm.

22. ADJOURN – Alderman Isaacs motioned to adjourn. Motion seconded by Alderman Fulrath. Roll call vote: Nehring, AYE; Gyorkos, AYE; Isaacs, AYE; Fulrath, AYE; Boyer, AYE. Motion passed: AYE, 5; NAY, 0; ABS, 0.

Mayor Rickard adjourned the City Council meeting at 7:06 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron, Illinois MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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