

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, OCTOBER 18, 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, Ron Boyer, Jessica Nehring, Michael Gyorkos, Christy Hanlin. Seven members present.

Aldermen Absent: None

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

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Motion by Alderman Hanlin to approve, as presented, the October 18, 2023, agenda. Seconded by Alderman Fulrath. Roll call vote: Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.
6. **MINUTES** –
 - a. **October 4, 2023 – City Council Regular Meeting Minutes** – Motion by Alderman Hanlin to approve, as presented, the October 4, 2023, City Council Regular Meeting Minutes. Seconded by Alderman Gerdes. Roll call vote: Fulrath, ABS; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 6; NAY, 0; ABS 1.
7. **PUBLIC COMMENT** – None
8. **TREASURER’S REPORT** – Treasurer Huber stated that the Treasurer’s report for the month of September is in Dropbox. The 2022-2023 annual Treasurer’s report is also in Dropbox. This is a required report that needs to be published after the audit is approved, and then filed with the County Clerk. It will appear in this week’s edition of the Tempo.
9. **LIST OF BILLS** – Alderman Isaacs asked about the tree removal done by Sisson’s. Director Vincer stated there were three trees in our right of ways that were growing over residential properties. **Alderman Isaacs motioned to approve the list of Bills dated 10/18/23 in the amount of \$141,058.12. Motion seconded by Alderman Gerdes. Roll**

call vote: Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.

10. **MAYOR'S REPORT** – Mayor Rickard reported that he received a request from the area Girl Scouts to sell girl scout cookies January through March, 2024.
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 the Merchant St. manholes were delivered yesterday. Installation will begin on Friday.
14. **DIRECTOR OF PUBLIC WORKS REPORT** –
 - a. Public Works Building Update – Topographical surveys have begun on the possible Public Works building site.
 - b. Wastewater Treatment Plant – Engineer Matt Johnson has been working on the Headworks channel geometry.
 - c. Other – Public Works staff is at training this week with Illinois Rural Water.
15. **POLICE CHIEF REPORT** – Chief Murray reported that there was an armed robbery Saturday at the Verizon store. They are working with other agencies to analyze video from the area.
16. **COMMITTEE REPORTS** –
 - a. **Community Services** – No report.
 - b. **Public Safety** – No report.
 - c. **Administrative** – Alderman Isaacs reported that most items discussed at the committee meeting are on the agenda. The committee also discussed the upcoming tax levy, budget vrs. actual comparisons year to date and building code updates.
17. **CONTINUING BUSINESS**
 - a. **221 N. Walnut St. Sidewalk Replacement** – Administrator Brooks reported that concrete jacking was attempted on the ramp at 221 N. Walnut St. Because of the structural integrity of the ramp, the foam began to come out of the cracks and the process had to stop at that point. The company did not charge for the work since the work was unsuccessful. The ramp will need to be removed, and Brad Miller is working with a contractor to install an ADA compliant lift. He will also contact a mason to repair the brick façade. The contractor will need to coordinate with how the sidewalk is designed in order to design the lift. Because the lift is ADA compliant, it will be eligible to be reimbursed with TIF funds. Alderman Hanlin expressed concern about pouring concrete now as the temperature is starting to drop.
 - b. **Fehr Graham 221 N. Walnut St. Sidewalk Engineering Proposal** – Administrator Brooks reported that now that we know what work needs to be done on the lift, the sidewalk needs to be designed. A proposal from Fehr Graham was reviewed by the Community Services Committee. **The Community Services Committee recommends council approval of the Fehr Graham Proposal for Sidewalk Engineering at 221 N. Walnut St. in the amount of \$12,500. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.**
 - c. **Ordinance Regarding Allowing UTVs in Park District Parking Lots** – Ordinance will be reviewed by the Public Safety Committee in November.

d. **Release of Payment to Martin & Co. for TARP Project** – Administrator Brooks stated that Council had approved full payment to Martin & Co. for their work on the Colfax/Tower Rd. TARP project. IDOT, however, still needs to approve the work in order to release the last part of the grant funds to the City totaling approximately \$8,000. IDOT is backlogged on their material review, which needs to be done prior to an IDOT engineer signing off on the project. Administrator Brooks stated that the City Engineer asked the Council to consider making a full or partial payment to Martin & Co. There is a slight risk involved in doing this if IDOT does not, for some reason, approve the materials or the job. Engineer Stoll added that he believes the risk is very low, and he recommends making payment to Martin & Co. since there is no way to know when an IDOT review will take place. Because there was only a final payment request, Martin & Co. has not received any payment for the job to date. Alderman Gerdes asked Engineer Stoll if Fehr Graham will assume responsibility for the payment if IDOT does not approve the job. Engineer Stoll responded that they would not but feels this is only procedural at IDOT and suggested a partial payment was also possible. Administrator Brooks added that Melissa Baxter is out of the office next week, so if anything other than full payment is decided, the check will be delayed until the week of October 30. Director Vincer asked, if a deficiency is found, would Martin & Co. be able to remedy the deficiency in order for the City to receive the remainder of the grant funds. Engineer Stoll said that a state mix was used for the project and cannot think of any deficiencies that would possibly be found. **Alderman Fulrath motioned to make payment in full (\$456,785.37) to Martin & Co. for the TARP project. Motion seconded by Alderman Boyer. Roll call vote: Gyorkos, AYE; Hanlin, NAY; Isaacs, AYE; Gerdes, NAY; Fulrath, AYE; Boyer, AYE; Nehring, AYE. Motion passed: AYE, 5; NAY, 2; ABS, 0.**

18. NEW BUSINESS –

a. **Ordinance Updating Building Codes** – Administrator Brooks stated that Attorney Szeto has drafted an initial ordinance to update our building codes to the 2021 version. Administrator Brooks is reviewing the ordinance for items the City will be excluding. A draft of the ordinance will be available for review at the next Administrative Committee meeting.

b. **Voluntary Dental/Vision and Life Insurance policies/City-provided Disability** – Administrator Brooks reported that the Administrative Committee reviewed this topic at their committee meeting earlier this evening. Vision and Dental are voluntary coverages that employees pay for. We are currently with Equitable which will renew 12-1-23. Several plans were presented as comparisons, and Pacific Life allows the same coverage for a lesser premium. The Administrative Committee recommends changing the Vision and Dental plan to Pacific Life. The City also provides employees the opportunity to purchase life insurance. The city provides short-term disability coverage. The renewal rates for these two coverages have not changed, and the Administrative Committee recommends maintaining the current plans. The item is on the agenda as first read and will be presented for action at the next Council meeting.

c. **Fehr Graham Proposal for Various Watermain Replacement Project** – Engineer Stoll reported that this proposal is for engineering on the \$2 million watermain replacement project (Rep. Kinzinger/LaHood state grant). Funds should be available next year. The proposal engineering total is \$237,000, however, payment for the project will cover two fiscal years. Design, engineering and permitting during fiscal year 2023-2024 will total \$96,500, and construction engineering during fiscal year 2024-2025 will be \$140,500. The project involves upgrading 4" watermains in town, along with the replacement of watermain on 2nd St. from Colfax to Walnut St. Director Vincer added that even with this grant, only approximately 20% of our 4" watermain will be able to be upgraded. Alderman Boyer asked if street work will follow the watermain replacement. Director Vincer said that,

after the ground settles, they will tailor the streets program with the utility plan. The Community Services Committee will review the proposal at their next meeting.

- 19. COUNCIL TALK –** Alderman Boyer has been contacted by a resident with concerns about the blinking yellow lights at the crosswalk on Tower Rd. at Byron Hills Drive. They believe drivers do not see the sign or lights and suggested upgrading to brighter LED lights. Director Vincer believes that the sign is owned and serviced by the school. We will reach out to the school with the request. Alderman Boyer also asked about sidewalk repair. Director Vincer replied that the sidewalk repair budget is small, but they will work with homeowners if they are willing to split the cost 50/50. Mayor Rickard suggested that the Community Services Committee review the sidewalk ordinance.
- 20. EXECUTIVE SESSION - Executive Session pursuant to 5 ILCS120/2(c)(2) of the Illinois Open Meetings Act to discuss Collective Negotiating/Bargaining Executive Session pursuant to 5 ILCS120/2(c)(5) of the Illinois Open Meetings Act to discuss the purchase or lease of real property and 5ILCS120/2(c)(21) of the Illinois Open Meetings Act to Review Closed Session Minutes. –** Alderman Boyer motioned to go into Executive Session at 7:12 pm. Motion seconded by Alderman Isaacs. Roll call vote: Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0. Mayor Rickard, Administrator Brooks, Clerk Huber and Attorney Szeto remained.
- 21. RECONVENE REGULAR CITY COUNCIL MEETING –** Council returned from Executive Session at 7:27 pm. Council members present: Isaacs, Gerdes, Fulrath, Boyer, Nehring, Gyorkos, Hanlin. Also present: Mayor Rickard, Administrator Brooks, Clerk Huber and Attorney Szeto. Mayor Rickard stated there was no action taken in Executive Session.
- 22. APPROVAL OF EXECUTIVE SESSION MINUTES –**
a. **October 4, 2023-Executive Session Minutes –** Alderman Boyer motioned to approve, but not release, the Executive Session minutes from October 4, 2023. Motion seconded by Alderman Hanlin. Roll call vote: Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.
- 21. COMMUNICATION –**
a. Regular City Council Meeting – Wednesday, November 1, 6:30 pm.
- 22. ADJOURN –** Alderman Gerdes motioned to adjourn. Motion seconded by Alderman Fulrath. Roll call vote: Fulrath, AYE; Boyer, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.

Mayor Rickard adjourned the City Council meeting at 7:29 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron IL

MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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