

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, AUGUST 17, 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, Zeke Hobbie, Jessica Nehring, Michael Gyorkos, Christy Hanlin. Seven members present.

Alderman Hanlin motioned to approve that Alderman Metz may participate in the meeting electronically. She cannot attend in person due to an emergency. Motion seconded by Alderman Nehring. Roll call vote: Gerdes, AYE; Fulrath, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 7; NAY, 0; ABS, 0.

Aldermen Absent: None

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
	Citizens	Bill Pirnat

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – **Motion by Alderman Gerdes to approve, as presented, the August 17, 2022, agenda. Seconded by Alderman Isaacs. Roll call vote: Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 8; NAY, 0; ABS 0.**
6. **MINUTES** –
 - a. **August 3, 2022 - City Council Regular Meeting Minutes - Motion by Alderman Hanlin to approve, as presented, the August 3, 2022, City Council Regular Meeting Minutes. Seconded by Alderman Gyorkos. Roll call vote: Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 8; NAY, 0; ABS 0.**
7. **PUBLIC COMMENT** – None
8. **TREASURER'S REPORT** – Treasurer Huber stated that the Treasurer's Report for the month of July is in Dropbox.
9. **LIST OF BILLS** – Alderman Isaacs asked Director Vincer about the charge from Northern IL Striping. Director Vincer replied that every year, prior to the start of the new school year, the lines are re-striped from 2nd St. to Byron Hills Drive. Alderman Isaacs also asked about the charge from Sherwin Industries. Director Vincer stated that this charge was for the rental of the crack seal machine. Director Vincer also noted that the sign trailer has been purchased.

Alderman Gerdes asked if the squad car purchase was the final vehicle that has been authorized. Alderman Hobbie replied that was. Alderman Gerdes asked where Sisson's removed a tree. Director Vincer replied that the tree was in the city easement near the post office. **Alderman Fulrath motioned to approve the list of bills dated 8/17/22 in the amount of \$190,064.67. Motion seconded by Alderman Gerdes. Roll call vote: Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**

- 10. MAYOR'S REPORT** – Mayor Rickard reported that the Chamber of Commerce Annual Duck Race is scheduled for September 10. No changes have been made to the event. **Alderman Nehring motioned to approve the Chamber proposal for the event. Motion seconded by Alderman Hanlin. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**

The Ogle County Economic Development Committee is moving forward as a private/public partnership to be a clearinghouse of economic development information. They will model the committee after the Rochelle committee, and they are drafting by-laws in the next several weeks. The mayor would like Byron to form a local economic development committee made up of members of the community. Byron also needs to update our comprehensive plan, and the county has funds available to do this. The county is asking for seed money, and suggested that communities earmark 10% of ARPA funds for the project.

- 11. CITY ATTORNEY'S REPORT** – All items are on the agenda.
- 12. CITY ENGINEER'S REPORT** – Engineer Stoll reported that we did not receive the downtown improvement grant we had applied for. Another grant cycle is coming in the near future. We are still waiting for word on the boat launch improvement grant.
- 13. DIRECTOR OF ECONOMIC DEVELOPMENT REPORT** – Director Hewitt reported that three new homes are being built in Rose Meadows, and two in Fawn Ridge. Because developers will likely begin looking for a new subdivision location, it is important to have an updated comprehensive plan. Attorney Szeto suggested issuing an RFP to begin the process. Director Hewitt added that Blackhawk Hills may have funds to assist with the plan as well.
- 14. DIRECTOR OF PUBLIC WORKS REPORT** – Director Vincer reported that the new sign trailer and signs are in. • City Parking lot #2 will be sealed tomorrow and striped on Friday. It should re-open by Friday evening. • The Colfax water main project has started. Small changes may need to be made on site, particularly regarding the setback requirement from the railroad tracks. This may add to the cost of the project. • There have been a series of pump failures at the sewer plant. The first two pump failures were covered under warranty, however, the third failure is attributed to an electrical problem at the control panel. Repairs will need to be made to the panel. More information will follow.

- 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. **Sunshine Park Purchase**–

i. **Resolution Declaring Surplus and Authorizing Sale of Sunshine Park** is in Dropbox. **Alderman Gerdes motioned to approve the resolution to declare Sunshine Park as surplus City property. Motion Seconded by Alderman Hanlin. Roll call vote: Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**

ii. **Resolution Approving Real Estate Contract for Sunshine Park –** Attorney Szeto stated that the contract states the selling price at \$70,000. Once signed, a 90 day period begins to negotiate a redevelopment agreement. It is this agreement that will stipulate what will be done with the property as well as a timeframe to complete the agreed upon project. If the two parties cannot come to an agreement within the 90 days, either party can back out of the contract. Alderman Isaacs discussed the importance of beginning negotiations early due to the timeframe of council meetings. Attorney Szeto stated that an extension of the 90 days is possible, depending on the wishes of the council. Alderman Fulrath expressed concern that we have not heard anything about plans for the park, but Attorney Szeto stated that a business will seldom begin negotiations unless they are under contract. This prevents the possibility of the property being sold to another party during the 90 days. Attorney Szeto will begin discussions as soon as possible and will keep council informed as they progress. Alderman Isaacs questioned why the potential buyer has not attended meetings to hear questions from the council. **Alderman Hanlin motioned to approve the Resolution Approving the Real Estate Contract for Sunshine Park. Motion seconded by Alderman Gerdes. Roll call vote: Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE, Gyorkos, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**

b. **Mill Road Rec Path –** Engineer Stoll reported that the street approaches will be paved and the path and intersections will be striped soon. Many residents are using the path.

c. **Wastewater Treatment Plant –** Engineer Stoll will contact the project engineer to schedule site visits with other facilities. We are on the intended funding list for EPA for \$12 million and our site plan is in review. Alderman Isaacs asked if a new public works building is included in the plan. Engineer Stoll replied that it is.

d. **City Hall Parking Lot –** Engineer Stoll reported that concrete pours should begin this week, and paving should begin next week.

e. **UTV Ordinance –** Nothing new to report.

f. **TARP Grant-Colfax St. –** Engineer Stoll reported that plans will be ready for TAS to review in September.

g. **Constellation Sewer Extension–**

i. **Constellation Engineering Reimbursement Agreement Approval –** Mayor Rickard stated that this agreement was discussed at the last meeting. **Alderman Fulrath motioned to approve the Constellation Engineering Reimbursement Agreement. Motion seconded by Alderman Hanlin.** Attorney Szeto explained that the city will be the vendor for Constellation, and from a legal standpoint, everything is in order. Engineer Stoll added that Fehr Graham is a vendor for the city. **Roll call vote: Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE, Gyorkos, AYE; Hanlin, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**

ii. **Fehr Graham Engineering Agreement Approval –** Mayor Rickard stated that upon approval of the Constellation Agreement, the Fehr Graham Engineering Agreement is approved from a prior action. A kick off meeting for the project is scheduled for the 22nd.

h. **Water/Sewer Rate Review –** Nothing new to report.

i. **Waste Disposal Contract –** Attorney Szeto stated that the current waste disposal contract expires at the end of August. He will ask Steve Moring to continue the current

contract through September while the committee discusses some possible changes to the contract. Alderman Gerdes said she received numerous calls from residents regarding Moring beginning their route at 4:30am recently (the contract stipulates 6am). Alderman Hanlin suggested that she note the date and time and we will call Moring whenever this occurs. They can then check the time clock and take action if necessary.

j. **Resolution Supporting Availability of Affordable Broadband** – Mayor Rickard explained this is a multi-county effort to secure funding that will provide broadband throughout the counties, particularly in rural areas. **Alderman Gyorkos motioned to approve the Resolution Supporting Availability of Affordable Broadband. Motion seconded by Alderman Nehring. Roll call vote: Gerdes, AYE; Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE, Gyorkos, AYE; Hanlin, AYE, Isaacs, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**

18. NEW BUSINESS

a. **Letter of Commitment Safe Streets and Roads Funding** – Mayor Rickard explained that Blackhawk Hills Economic Council has hired a consultant to do research to determine the safety of our roads. They have asked for a letter of a time commitment, which primarily includes interviews with our Public Works and Police Departments. **Alderman Hanlin motioned to bypass first read and approve a letter of commitment to the safe streets and roads funding project. Motion seconded by Alderman Gerdes. Roll call vote: Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE, Gyorkos, AYE; Hanlin, AYE, Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**

19. **COUNCIL TALK** – Alderman Fulrath asked if we have pursued contacting Merlin's to provide flower pots downtown. Mayor Rickard will follow up for next year, and also contact Velvet Poppy. • Alderman Nehring asked to confirm that the economic development committee does not replace Director Hewitt. Mayor Rickard and Attorney Szeto explained that the committee will be a clearinghouse and will not replace anyone. An additional local committee will be able to assist Director Hewitt in economic development efforts. The mayor is open to receiving suggestions of who should serve on the committee.

20. COMMUNICATION –

a. Regular City Council Meeting – Wednesday, September 7, 2022, 6:30 pm.

21. **ADJOURN** – Alderman Isaacs motioned to adjourn. Motion seconded by Alderman Hobbie. Roll call vote: Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE, Isaacs, AYE; Gerdes, AYE, Fulrath, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.

Mayor Rickard adjourned the City Council meeting at 7:38 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron, Illinois

MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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