

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, APRIL 5, 2023, 6:30 PM
BYRON CITY HALL**

1. **CALL TO ORDER** – Mayor Rickard called the meeting to order at 6:35 p.m.
2. **PLEDGE OF ALLEGIANCE** – Led by Mayor Rickard
3. **ROLL CALL – Aldermen present:** Todd Isaacs, Emily Gerdes, Mittzi Fulrath, Ron Boyer, Zeke Hobbie, Jessica Nehring, Michael Gyorkos, Christy Hanlin. Eight members present.

Aldermen Absent: None

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

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Mayor Rickard asked to add Sam's Drive in Liquor License/Video Gaming added under Continuing Business as 17f. **Motion by Alderman Fulrath to approve, as amended, the April 5, 2023, agenda. Seconded by Alderman Hanlin. Roll call vote: Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 8; NAY, 0; ABS 0.**
6. **MINUTES** –
 - a. **March 15, 2023 – City Council Regular Meeting Minutes – Motion by Alderman Hanlin to approve, as presented, the March 15, 2023 City Council Regular Meeting Minutes. Seconded by Alderman Nehring. Roll call vote: Fulrath, ABS; Boyer, AYE; Hobbie, ABS; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 6; NAY, 0; ABS 2.**
7. **PUBLIC COMMENT** – None
8. **TREASURER'S REPORT** – No report.
9. **LIST OF BILLS** – Alderman Isaacs asked if the charges from Direct Energy are in the normal range. Director Vincer will check, but he believes these fees are typical as they are the meters at the sewer plant. Alderman Isaacs confirmed that there are two Comcast accounts. **Alderman Hanlin motioned to approve the List of Bills dated 04/05/23, in the amount of \$79,184.27. Motion seconded by Alderman Isaacs. Roll call vote: Boyer,**

AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.

- 10. MAYOR'S REPORT** – Mayor Rickard reported that the city has reserved a table at the Byron Chamber of Commerce Annual Dinner on Thursday, April 27. Aldermen that wish to attend should contact Administrator Brooks. • Mayor Rickard read and presented a proclamation to Jessica Cash and Shannon Krueger, Shining Star Advocacy Center, in honor of Child Abuse Awareness month.
- 11. CITY ADMINISTRATOR'S REPORT** – Administrator Brooks reported that the RFP for the Comprehensive Plan went live on March 16. It is on two planning association websites and has been sent directly to planning firms. Several firms have expressed interest. A pre-response meeting is scheduled for April 10 at 1:00 pm. • The Park District is reviewing our proposed Intergovernmental Agreement. • The Administrative Committee discussed the Peru St. ROW Vacation and possible land sale. Hairy Cow Brewery is asking to purchase land in addition to the ROW to put in a parking lot. Administrator Brooks will discuss with Hairy Cow further to see how much additional land would be needed. • First negotiations with the FOP are next week. • Administrator Brooks has been working on congressional grants. Two, prepared by Fehr Graham, have been submitted. • Administrator Brooks has been working on TIF reports. He has completed one report and has two additional reports due. • Elected officials have received the Statement of Economic Interest. They are due May 1. Statements may be filed with the County Clerk by the individual, or Clerk Huber will file any received by the next City Council meeting. • A mural committee meeting will be held on Monday. The committee is meeting with Fatherless, a group of artists that were interviewed by the committee last year. Two locations for the mural are being considered. The first is the Union St. side of Uptown Lanes. The second is the Orthopedic Rehab building, also on Union St. • Administrator Brooks will attend the Ogle County Economic Development Committee meeting next week.
- 12. CITY ATTORNEY'S REPORT** – All items are on the agenda.
- 13. CITY ENGINEER'S REPORT** – Engineer Stoll reported that only one bid was received from Struck and Irwin this week for the Slurry Seal portion of the 2023 Streets Program. He broke the bid into two parts: The base bid, and the base bid plus Luther Dr. and Allison Ct. Total bid was \$117,198.00 which is higher than the Engineer estimate by approximately 12%. Engineer Stoll recommends not taking action on this bid tonight, but rather wait until the additional bids for the Streets Program are received in May and discuss at that time.
- 14. DIRECTOR OF PUBLIC WORKS REPORT** – The Public Works building design has begun. • Tours of sewer plans are complete and an initial meeting to discuss ideas will be held tomorrow. • Several trucks need to be repaired after the last snowfall.
- 15. POLICE CHIEF REPORT** – Chief Murray reported that the department is working with the State Fire Marshall's Office as they conduct the investigation on the fire that occurred recently on 3rd St. The Police Department is housing some evidence taken from the scene. Chief Murray has been in touch with the families involved and ComEd attorneys. • The viaduct on Route 2 flooded during the last several days due to recent heavy rain and snow. IDOT has been addressing the problem and the viaduct is now open. • HVAC units that have been on order will be delivered and installed tomorrow. • Liquor license renewal notices are being sent out.

16. COMMITTEE REPORTS

- a. **Community Services** – No report. All items are on the agenda.
- b. **Public Safety** – No report.
- c. **Administrative** – No report. All items are on the agenda.

17. CONTINUING BUSINESS

- a. **Water/Sewer Rate Review** – Administrator Brooks stated that he and Alderman Isaacs would like to get an ordinance in place prior to May 1 since the water/sewer rates that are supposed to go into effect on May 1, according to the ordinance, are lower than the current rates. This is due to the CPI adjustment last year. An ordinance will be prepared that will raise the rates by 4%. Mayor Rickard asked that the council review the ordinance prior to the next meeting and be prepared to vote on it. Alderman Gerdes expressed frustration that this item has been on the agenda for a long time with no recommendations, and now council is being asked to vote on a 4% increase at the next meeting. Alderman Isaacs stated that we also do a cost of living increase in September. He suggested the possibility that we don't raise the rates at this time, but rather wait until September to take the CPI adjustment. Discussion will continue at the next meeting.
- b. **Budget Adjustments Ordinance** – Administrator Brooks stated that adjustments are made to the budget each year to ensure funds are available to cover expenses in the different budget categories. We will not vote on this ordinance until the next List of Bills is reviewed and adjusted if necessary. The Administrative Committee has recommended approval of the ordinance at the next meeting. Alderman Isaacs added that most adjustments are made within the same category of the budget.
- c. **2023-2024 Budget Ordinance** – The budget ordinance is prepared and has been at the front desk for public review. A public hearing is scheduled for Wednesday, April 19 at 6:25 pm. There have been only minor adjustments made since distributing the proposed budget at the last meeting. Administrator Brooks asked aldermen to contact him with questions. The ordinance comes with committee recommendation for approval.
- d. **Byron Rocks 5K-10K Updated Map** – Council had approved a route map from the Chamber of Commerce for their upcoming 5K-10K run at the last meeting. The route has been updated, and a copy is in Dropbox. **Alderman Gerdes motioned to approve the new 5K-10K map. Motion seconded by Alderman Isaacs. Roll call vote: Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**
- e. **2023 Streets Program – Bid Award** – No action.
- f. **Sam's Drive In Liquor License/Video Gaming** – Alderman Fulrath stated that the Community Services Committee discussed this topic. The committee had some concerns over signage and questions about building permits. The request will be coming with committee recommendations at the next council meeting. Alderman Isaacs is concerned about the number of machines in town. Alderman Hobbie stated that Sam's Drive In needs the additional income to keep the business in Byron. Alderman Hanlin does not want to restrict signage too much as they will have to let people know they have the machines. Alderman Hobbie feels that if they are given this opportunity, they may be able to remain open longer into the season. Alderman Fulrath stated that owner Shirley Aldrich seems willing to work with the city, and the proposed layout will keep the gaming area very separate and out of view. Alderman Fulrath stated that Ms. Aldrich did not attend the meeting at Alderman Fulrath's request. She had hoped they could have a more open and frank discussion if the owner was not in attendance. Alderman Isaacs questioned if another slot location would bring in additional tax dollars, or just spread them around. Mayor Rickard stated that this subject would be on the agenda for a vote at the next meeting.

18. NEW BUSINESS –

a. **Ordinance to Change Administrative Committee Meeting Date** – Alderman Hanlin stated that the Administrative Committee recommends council approval of the Ordinance to change their meeting date. Tonight is first read of the ordinance. It will be voted on at the next meeting.

b. **ChargePoint Master Services and Subscription Agreement** – Administrator Brooks has been contacted by Thayer Energy, the company that installed the EV charging stations in the City Hall parking lot. They were asking about activating the units, which requires an agreement with ChargePoint, the company that handles the software and fee collection for the stations. The city has already paid for a five year cloud plan (that has already begun) with ChargePoint. ComEd provided a grant for half of the fees. The charge takes two to three hours. Administrator Brooks reviewed the agreement and Attorney Szeto has looked at it also. Alderman Gerdes asked where the closest charging stations are located. There are several in Oregon, and Administrator Brooks added that the Forest Preserve is considering adding them. Alderman Gerdes asked for comparison rates in neighboring locations. Administrator Brooks will also research how much we will be charged for the electricity.

c. **WIPFLI Audit Engagement Letter** – Administrator Brooks stated that we have received the Audit Engagement letter, and the rate has increased by over \$4,000. WIPFLI explained that the increases have to do with increased regulations and auditing of the TIF District, which they had not charged for in the past. The Administrative Committee recommended getting quotes from other firms because of the substantial price increase and since it is advisable to change auditing firms every few years.

d. **Fehr Graham Boat Dock Engineering Agreement** – Administrator Brooks stated that Fehr Graham has provided a quote for engineering in the amount of \$35,000 for work on the BAAD Boat Dock grant. Estimated costs for the project are \$240,000, \$200,000 of which is being covered by the grant. Engineering costs include applying for permits required for work on and in the river. Engineer Stoll added that once passed, they can begin applying for the necessary permits. **Alderman Isaacs motioned to bypass first read. Motion seconded by Alderman Nehring. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Hobbie, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0. Alderman Hobbie motioned to approve the agreement with Fehr Graham for \$35,000 for engineering and permitting services on the boat dock. Motion seconded by Alderman Fulrath. Roll call vote: Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Boyer, AYE; Hobbie, AYE; Nehring, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.**

e. **TIF Applications – Reruns** – Alderman Hanlin stated that the façade improvement request was approved in committee, but a development agreement is still being worked on.

19. COUNCIL TALK – Alderman Hobbie had a resident contact him regarding allowing chickens in the city. The council has addressed this topic in the past and currently does not allow them. Alderman Hobbie asked what would be required in their request for the council to re-consider. Alderman Fulrath stated that monitoring and enforcement has been a concern in the past. Attorney Szeto suggested they research other communities and put together a proposal to present to council.

20. COMMUNICATION –

- a. Public Hearing – Budget – Wednesday, April 19, 2023, 6:25 pm
- a. Regular City Council Meeting – Wednesday, April 19, 6:30 pm.

21. ADJOURN – Alderman Fulrath motioned to adjourn. Motion seconded by Alderman Gerdes. Roll call vote: Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Boyer,

AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 8; NAY, 0; ABS, 0.

Mayor Rickard adjourned the City Council meeting at 7:34 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron, Illinois

MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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