

**CITY OF BYRON  
MINUTES OF THE REGULAR COUNCIL MEETING  
WEDNESDAY, FEBRUARY 2, 2022  
BYRON CITY HALL  
6:30 PM**

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, Cheryl Metz, Zeke Hobbie, Jessica Nehring (by phone), Michael Gyorkos, Christy Hanlin. Eight members present. **Quorum established.**  
**Aldermen Absent:** None

<b>PRESENT:</b>	<b>Mayor</b>	John Rickard
	<b>City Clerk</b>	Caryn Huber
	<b>City Attorney</b>	Aaron Szeto
	<b>Police Chief</b>	Todd Murray
	<b>Dir. of Econ. Dev.</b>	Larry Hewitt
	<b>Dir. of Public Works</b>	Aaron Vincer
	<b>City Engineer</b>	Jason Stoll
	<b>Citizens</b>	Bill Pirnat, Pam Kultgen, Clay Lindsey Mike Traum, Ryan Bruce (Byron Fire Department)

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** – Motion by Alderman Hanlin to approve, as presented, the February 2, 2022, agenda. Seconded by Alderman Gyorkos. 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.
6. **MINUTES** –
  - a. January 19, 2022 Committee of the Whole Special Meeting Minutes – Motion by Alderman Metz to approve, as presented, the January 19, 2022, Committee of the Whole Special Meeting Minutes. Seconded by Alderman Hobbie. Roll call vote: Fulrath, AYE; Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, ABS; Gerdes, ABS. Motion passed: AYE, 6; NAY, 0; ABS 2.
  - b. January 19, 2022 City Council Regular Meeting Minutes - Motion by Alderman Hanlin to approve, as presented, the January 19, 2022, City Council Regular Meeting Minutes. Seconded by Alderman Isaacs. Roll call vote: Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, ABS; Fulrath, AYE. Motion passed: AYE, 7; NAY, 0; ABS 1.
7. **PUBLIC COMMENT** – Ogle County Associate Judge Clayton Lindsey addressed the council. He is running for Circuit Court Judge. Judge Hanson has retired and Judge Lindsey is running to replace him. He would serve, Ogle, Carroll, Lee, Stephenson and JoDavies counties. He served as Byron City Attorney from 2000 to 2016.

8. **TREASURER'S REPORT** – Treasurer Huber stated that the monthly revenue and tax comparisons for January 2022 are in Dropbox.
9. **LIST OF BILLS** – Alderman Hobbie asked Director Vincer about the dump truck repair by Bonnell industries. Director Vincer said that although it was an expensive repair, it was necessary. He has not gone over budget in this category. **Motion by Alderman Hanlin to approve the lists of bills dated February 2, 2022, in the amount of \$59,510.81. Seconded by Alderman Hobbie. 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 has two special event requests:
- a. **Byron Firefighter's Assoc. Proposal to City 2022** – Mike Traum and Ryan Bruce requested street closings in order to hold a carnival from May 27-29. The closings would begin on Thursday, May 26, and include areas of W. 2<sup>nd</sup> St. and N. Washington streets. **Motion by Alderman Gyorkos to approve the street closings from May 26-29. 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.**
  - b. **Byron Chamber Byron Rocks Proposal 2022** – The Byron Chamber of Commerce submitted a request to use the City Hall parking lot for their 5K/10K run on Saturday, May 7. Barricades will be put up at 2:00 am, and the event will end by 12:30 pm. **Motion by Alderman Gerdes to approve the Chamber's use of the City Hall Parking lot on May 7. Seconded by Alderman Fulrath. 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.**
11. **CITY ATTORNEY'S REPORT** – No report. All items are on the agenda.
12. **CITY ENGINEER'S REPORT** – No report. All items are on the agenda.
13. **DIRECTOR OF ECONOMIC DEVELOPMENT REPORT** – Director Hewitt reported that we will include improvements to the Municipal Building as part of the 2022-2023 budget. This will include exterior painting, windows, lighting, HVAC and parking lot renovations. • Director Hewitt is setting up hotel taxes for our AirBnB and Vrbo locations. There are four or five within the city limits.
14. **DIRECTOR OF PUBLIC WORKS REPORT** – Director Vincer reported that the department has received notice that they will have to start testing water for PFAS, a coating that is often found in non-stick cooking surfaces. The department's budget for testing will increase as a result of this requirement. • Director Vincer would like to purchase generators for the lift stations in the next fiscal year. • The public works department is about half way done with their lead service line inventory. So far they have not found any lead lines. • The department has been busy with snow removal. • The chipper is running and they have taken care of the Christmas trees left at the boat dock.
15. **POLICE CHIEF REPORT** – Chief Murray reported that the officer currently in training is doing well. The background check on the candidate that will be training in May is in process. • Sergeant Brechon is driving a new vehicle. The car has a reflective "ghost" lettering. • The department will still need to purchase several additional vehicles, and that will be reflected in next year's budget.

## 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. **Mill Road Rec Path** – Alderman Fulrath reported that a preliminary plan is in Dropbox for the Mill Road project. Rebuild IL funds will be used (\$247,000) for the project. The remaining \$110,000 will come from the 2022 streets budget.
- b. **Wastewater Treatment Plant** – Engineer Stoll reported that the EPA has assigned someone to tour the WWTP as part of the review process of the facility plan. The tour will take place next Wednesday at 10:30 pm.
- c. **Ordinance Regarding Performance Bonds for ROW Excavations** – Alderman Hanlin reported that the Administrative Committee recommends council approval on the Ordinance Regarding Performance Bonds for ROW Excavations. 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.
- d. **City Hall Parking Lot** – Engineer Stoll reported that plans are underway for the project.
- e. **Ordinance Providing for Installation and Operation of Solar Energy Systems**  
- The Zoning Board of Appeals will meet to discuss this ordinance on February 10. Alderman Metz asked if households that already have solar will be grandfathered in. Director Hewitt explained that this ordinance will likely not affect homeowners with rooftop systems. It does address ground solar systems, which are increasing in popularity. Alderman Hobbie asked about replacing a roof that already has solar panels installed. Director Hewitt replied that we have not encountered that in the community yet, but he will address it once it becomes more common.
- f. **Adjustment to Pay Scale** – Alderman Hanlin reported that the Administrative Committee recommends council approval on the proposed new pay scale, effective May 1, 2022. 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.
- g. **COVID Policy** – Alderman Hanlin reported that the Administrative Committee recommends approval of the proposed COVID policy. Alderman Hobbie opposes the policy because it differentiates between unvaccinated and vaccinated individuals. He argued that transmission can occur in either case. While he thinks that the vaccine is right for some people, he argues that it should be an individual choice. Alderman Fulrath agrees, and does not think that employees should be segregated as a result of their health choices. Mayor Rickard called for a vote on the recommendation of the committee. Roll call vote: Gerdes, NAY; Fulrath, NAY; Metz, AYE; Hobbie, NAY; Nehring, AYE; Gyorkos, NAY; Hanlin, AYE; Isaacs, AYE. Vote tally: AYE, 4; NAY, 4, ABS, 0. Mayor Rickard, as the tie breaker, voted no and the motion failed. Discussion was had on how to have further discussion on this matter. In order to reconsider the topic, Attorney Szeto explained that an alderman on the prevailing side (i.e. who voted no) would need to motion to reconsider the COVID policy motion. Alderman Fulrath made that motion. Motion seconded by Alderman Gerdes. Roll call vote: Fulrath, AYE; Metz, AYE; Hobbie, NAY; Nehring, AYE; Gyorkos, AYE; Hanlin, NAY; Isaacs, AYE; Gerdes, AYE. Motion passed: AYE, 6; NAY, 2; ABS 0. The motion is again before the council. Alderman Fulrath motioned to refer consideration of the COVID policy back to committee. Motion seconded by Alderman Gerdes. Roll call vote: Metz, AYE; Hobbie, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, NAY; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 7;

**NAY, 1; ABS 0.** Alderman Hobbie does not believe that a COVID policy is necessary, but if we chose to have one, he feels that employees should not be segregated. Alderman Isaacs suggested that the item be placed at the top of the next Administrative Committee agenda in order for all alderman to attend the beginning of the meeting and have the opportunity to discuss.

h. **Streets Plan – Alderman Fulrath reported that the Community Services Committee recommends approval of the 2022 streets plan. Total estimated cost of the proposed work is \$430,456. 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.**

i. **UTV Ordinance –** Nothing new to report. Item will remain on the agenda in case revisions need to be made to the ordinance prior to implementation of the program.

## **18. NEW BUSINESS**

a. **Ordinance Amending 5.50 Video Gaming/Application –** Alderman Hanlin reported that the Administrative Committee is recommending council approval of this ordinance, which imposes a \$250 tax on each video gaming machine per year. Alderman Isaacs asked when this will take effect. Mayor Rickard replied it would be implemented at the same time as liquor license renewals at the beginning of the next fiscal year. The ordinance will be voted on at the February 16 meeting.

b. **Mural Project – Alderman Hanlin reported that the committee recommends that we move forward with the mural design proposed by Lisa Frost at a cost of \$10,000, to be paid out of TIF District funds.** Alderman Fulrath thinks the design is expensive and asked about other options we explored. Clerk Huber explained that the committee interviewed three artists, and Lisa Frost was the least expensive of the three. Because they had not worked up designs at that stage, ballpark figures from the two other artists ranged from \$12,000 to \$20,000. Alderman Fulrath asked if there was interest from anyone in town. Clerk Huber replied that mural painting is quite specialized, and in order to have a long lasting product, and one that we hope will be the first of many, it is important to look to artists that have experience with the materials, the techniques and the process involved in producing a quality product, particularly one as large as a mural. Alderman Metz added that Lisa Frost is very well known in the area, and she feels she will be able to communicate well and work with the high school art students. Alderman Isaacs added that Fehr-Graham has agreed to donate \$1,000 towards the project, and Clerk Huber said that they intend to speak with other businesses as well. The location of the first mural, pending approval of the business owner, will be on the NE corner of 2<sup>nd</sup> St. and Walnut St. **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.**

**19. COUNCIL TALK –** Alderman Gerdes said she has been receiving scam emails from the “mayor”. Chief Murray said there are also emails being sent asking to change employee’s banking records. They will continue to report them to our IT company. • Engineer Stoll announced that his wife, Devin, has a store downtown named the Velvet Poppy Floral Design (previously Stems and Stuff). Tomorrow is her opening day.

## **20. COMMUNICATION –**

a. **Regular City Council Meeting –** Wednesday, February 16, 2022, 6:30 pm

**21. ADJOURN – Alderman Isaacs motioned to adjourn. Seconded by Alderman Fulrath. 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.**

Mayor Rickard adjourned the City Council meeting at 7:14 pm.

Respectfully Submitted,

*Caryn A. Huber*

City Clerk of Byron, Illinois

<b>MAYOR JOHN RICKARD</b>	<b>CITY CLERK CARYN A. HUBER</b>
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