

**CITY OF BYRON
MINUTES OF THE REGULAR COUNCIL MEETING
WEDNESDAY, JUNE 7, 2023, 6:30 PM
BYRON CITY HALL**

1. **CALL TO ORDER** – Mayor Rickard called the meeting to order at 6:31 pm.
2. **PLEDGE OF ALLEGIANCE** – Led by Mayor Rickard
3. **ROLL CALL – Aldermen present:** Todd Isaacs, Emily Gerdes, Mittzi Fulrath, Jessica Nehring, Michael Gyorkos, Christy Hanlin. Six members present.

Aldermen Absent: Ron Boyer

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
	City Engineer	Jason Stoll
	Citizens	Pam Kultgen, Bill Pirnat, Brad Miller, Kurt Larson

4. **REVERENCE PERIOD** – Mayor Rickard led the Council in prayer.
5. **APPROVAL/AMENDMENTS TO AGENDA** –Mayor Rickard asked to add potential demolition of 412 E. 2nd St. under New Business, item 18c. **Motion by Alderman Isaacs to approve, as amended, the June 7, 2023, agenda. Seconded by Alderman Hanlin. Roll call vote: Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 6; NAY, 0; ABS 0.**
6. **MINUTES** –
 - a. **May 17, 2023 – Committee of the Whole Meeting Minutes – Motion by Alderman Hanlin to approve, as presented, the May 17, 2023, Committee of the Whole Meeting Minutes. Seconded by Alderman Nehring. Roll call vote: Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, ABS. Motion passed: AYE, 5; NAY, 0; ABS 1.**
 - b. **May 17, 2023 – City Council Regular Meeting Minutes – Motion by Alderman Hanlin to approve, as presented, the May 17, 2023, City Council Regular Meeting Minutes. Seconded by Alderman Isaacs. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, ABS; Fulrath, AYE. Motion passed: AYE, 5; NAY, 0; ABS 1.**
7. **PUBLIC COMMENT** – None
8. **TREASURER’S REPORT** –Treasurer Huber stated that the Treasurer’s Report for the month of May is in Dropbox. She will provide the tax payment comparisons at the next meeting.

9. **LIST OF BILLS** – Alderman Isaacs asked about the charge from Metropolitan Compounds. Director Vincer stated that the charge was for his annual purchase of JULIE marking paint. **Alderman Hanlin motioned to approve the List of Bills dated 06/07/23, in the amount of \$98,055.78. Motion seconded by Alderman Nehring. Roll call vote: Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**
10. **MAYOR'S REPORT** – Mayor Rickard stated that committee assignments haven't changed in several years and he distributed a new list of committee assignments effective July 1, 2023. The new chairmen of the committees have been contacted and have agreed to serve in this capacity. He acknowledged and thanked all committee chairmen and council members for their hard work and participation on their assigned committees during the past several years. • The Ogle County Economic Development Corporation continues to form. Bylaws are almost complete, and they have submitted an application for their 501c3 as a public/private partnership. They are currently looking for an Executive Director.
11. **CITY ADMINISTRATOR'S REPORT** – Administrator Brooks reported that Fatherless has agreed to a negotiated reduced price of \$10,000 for the second downtown mural. The painter's union has also agreed to paint the primer coat at no charge. A concept design is expected soon. • Administrator Brooks has contacted references for Chastain for their proposal of the Comprehensive Plan update. All were positive recommendations. Most also used Chastain as their city engineers. Administrator Brooks spoke with the main planner and discussed the possibility of reducing the \$82,500 quote. This might be achieved by reducing the number of public meetings and providing our own engineering plans. The current budget for the Comprehensive Plan is \$25,000. We have ARPA money that has not been spent but has been earmarked for the RAISE grant roundabout project. We should know by the end of the month if we will receive that grant. If we do not, ARPA money can be used towards the Comprehensive Plan. Alderman Isaacs asked how the city will benefit from spending that much money and moving forward on the update. Administrator Brooks stated that most communities use their plan regularly. On the direction of the council he will continue conversations with Chastain regarding how a reduced price can be achieved.
12. **CITY ATTORNEY'S REPORT** – All items are on the agenda.
13. **CITY ENGINEER'S REPORT** – Engineer Stoll stated that a pre-construction meeting was held with Rock Roads on the Mineral St. and N. Fox Run Lane projects. We are waiting for railroad permitting and work to be done on Colfax and Mineral St. The Colfax/Tower Rd. project should take approximately two weeks and will be done in mid to late July. Martin had held last year's price for work on Merchant St. since they ran out of time to complete the project last year. The street, however, has three sanitary brick manholes that should be replaced prior to paving the road. The lowest bid on Alternate bid 3 was \$60,000 for three manholes. This project was not budgeted but Engineer Stoll will work on getting new bids to consider by the next committee meeting. It is possible that Martin could do the work while doing the Colfax/Tower project. The manholes go to the main trunk line to the sewer plant.
14. **DIRECTOR OF PUBLIC WORKS REPORT** – Director Vincer reported that he has no updates on the Public Works building or the WWTP. • A new full time public works employee started this week. He has a CDL and diesel mechanics certificate. • Crack sealing is taking place this week. • Director Vincer oversaw the installation of a water line into Cox's Roost.

15. **POLICE CHIEF REPORT** – Chief Murray reported that he met with investigators and attorneys involved in the 3rd St. house fire. They removed the remainder of their evidence and Chief Murray gave them the evidence he has been holding. The insurance company is eager to demo the building.

16. **COMMITTEE REPORTS**

- a. **Community Services** – No report.
- b. **Public Safety** – No report.
- c. **Administrative** – No report.

17. **CONTINUING BUSINESS**

- a. **Peru St. ROW Vacation and Possible Land Sale** – Nothing to report.
- b. **Annual Employee Wage Increases** – Nothing to report. Alderman Isaacs needs to recalculate recent wage increases for Brian Malone and Gary Treese.
- c. **Comprehensive Plan Proposal Recommendation** – Discussed under City Administrator's Report.
- d. **TEST Contract for Managing Water and Wastewater Treatment Plants – The Community Services Committee recommends council approval of the TEST contract for Managing Water and Wastewater Treatment Plants. Roll call vote: Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**
- e. **221 N. Walnut St. Sidewalk Replacement** – Alderman Fulrath reported that the committee discussed this topic but wanted the entire council to discuss. At the last Committee of the Whole meeting, the council discussed offering TIF money for the replacement of the ramp, with the building owner being responsible for 25% of the cost of the project. Mayor Rickard stated that the issue is how much the city is responsible for the ramp at 221 N. Walnut St. The city has committed to replacing the sidewalk. The building owner, Brad Miller, maintains that he did not cause the ramp to start pulling away from the building, and believes the city is responsible for 100% of the cost of the ramp replacement and brick repair from the façade that is pulling away with the ramp. The mayor is in favor of paying the entire cost of repair. Alderman Isaacs asked if the brick work is included in the estimated cost. Mr. Miller said it is not, as it is difficult to determine the extent of the repair until the ramp work is started. Alderman Nehring asked how much money is available in the TIF budget. City Administrator Brooks stated that \$70,000 is budgeted for grants, and \$29,100 has been used so far. The sidewalk repair will be taken from the street repair line item of TIF funds. Alderman Gerdes asked about capping the project at the brick repair. Alderman Isaacs asked about possible additional damage to the building. Engineer Stoll replied that the contractors are bonded and insured for that reason. Alderman Isaacs asked what can be done to clear our responsibility from anything happening in the future. Attorney Szeto stated that this will be included in the TIF agreement. Mr. Miller stated that he is not looking for the ramp to be improved, he is only looking for it to be returned to its original state. **Alderman Isaacs motioned to have the city repair the sidewalk and curb at 221 N. Walnut St. and pay for the repair of the ramp and brick façade through a 100% TIF grant.** Attorney Szeto added that we are still waiting for a final quote and approval of a TIF agreement. **Motion seconded by Alderman Fulrath. Roll call vote: Isaacs, AYE; Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.**

18. **NEW BUSINESS –**

- a. **Resolution Approving Membership Renewal in IML 2023** – 1st read.
- b. **Resolution Approving Attendance at IML Conference 2023** – 1st read.

c. **Potential Demolition of 412 E. 2nd St.** – Administrator Brooks stated that the city obtained title to this property through judicial deed and it needs to be demolished. Director Vincer has received a \$25,000 quote from Benesh that includes demolition of the house (including the foundation) and the garage. They will leave the sanitary sewer and water capped and marked. He has contacted several other contractors that have not yet provided a quote. Alderman Gerdes asked where the funds to demo will come from. City Administrator Brooks said it is a general fund item. No action can be taken since the item is appearing on the agenda for the first time.

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 – Alderman Isaacs motioned to go into Executive Session at 7:16 pm. Motion seconded by Alderman Nehring. Roll call vote: Gerdes, AYE; Fulrath, AYE; Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0. Mayor Rickard, Administrator Brooks, Attorney Szeto and Clerk Huber remained.

Council returned from Executive Session at 8:17 pm. Council members present: Fulrath, Nehring, Gyorkos, Hanlin, Isaacs, Gerdes. Also present: Mayor Rickard, Administrator Brooks, Attorney Szeto, Clerk Huber. Mayor Rickard stated there was no action taken during Executive Session.

21. COMMUNICATION –

a. Regular City Council Meeting – Wednesday, June 21, 6:30 pm.

22. ADJOURN – Alderman Isaacs motioned to adjourn. Motion seconded by Alderman Gerdes. Roll call vote: Nehring, AYE; Gyorkos, AYE; Hanlin, AYE; Isaacs, AYE; Gerdes, AYE; Fulrath, AYE. Motion passed: AYE, 6; NAY, 0; ABS, 0.

Alderman Fulrath adjourned the City Council meeting at 8:17 pm.

Respectfully Submitted,

Caryn A. Huber

City Clerk of Byron, Illinois

MAYOR JOHN RICKARD	CITY CLERK CARYN A. HUBER
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