

MINUTES

BOARD MEETING

Monday October 5th, 2020, 6:00 P.M.

VILLAGE OF PORT BYRON IL

Meeting conducted via Zoom

The Village Board Meeting was called to order by Mayor Bruce Peterson at 6:03 p.m. on Monday, October 5th, 2020. Via Zoom meeting/Trustees present

ROLL CALL / ESTABLISHMENT OF QUORUM / PLEDGE OF ALLEGIANCE

Roll Call #1: Present: Trustees Wayne Oney, Patty Lindley, Dustin Sloan, Gerry Meade, Bo Mathis, Brian Bitler

Absent: None

Mayor Bruce Peterson

Also Present: Sarah Gorham, Attorney

GALLERY

COMMITTEE REPORTS

A. PUBLIC INFORMATION/FINANCE COMMITTEES

1. VILLAGE FINANCE WAYNE ONEY
None

2. TIF BRUCE PETERSON

Clerk Engels reported that she is working with Kathy Orr (TIF Attorney) to complete the annual TIF report for the state.

3. ECONOMIC DEVELOPMENT PATTY LINDLEY

Trustee Lindley is planning on holding an October meeting via zoom on Tuesday but that is TBD. She also reported that the Farmer's Market will be held on Saturday's at the library beginning on Oct. 17th

4. MSA/ IRDC COMMITTEE WAYNE ONEY/JARED FLUHR

a. North Utilities Extension – North Shore Dr. Sanitary Sewer Extension Proposal

Kevin Bailey from MSA reported that Valley Construction is looking to complete Cherry Street by the end of the week.

He reported that the Downtown Streetscape will hold a public open house and information meeting at Village Hall on Oct 15th from 5-6:30pm to finalize concept.

Trustee Bitler questioned if Cherry Street has been inspected by MSA. He says that there are rough spots still that need to be addressed. Kevin Bailey said that they will inspect it before the job is closed out.

Trustee Mathis asked if there will be a retaining wall put in along Cherry street by the water tower. Kevin reported that they were looking into that and a handrail because of the drop off.

Trustee Lindley reported that at the intersection of Cherry Street and Bluff that there are a few sections that need to be addressed.

Kevin Baily reported on the water/sewer extension. He said that the next phases of the project is to complete the water system analysis (already approved by the Village) and they recommend completing an IEPA Preliminary Engineering Report and loan pre-application. This Phase 1 of the project to carry forward is \$12,500. Phase 2 is \$45,000 and will include topographic survey, soil borings, and prepare 30% plan and profile sheets of the two utility extensions.

Trustee Sloan asked if there would be savings in doing the IEPA loan applications together instead of doing water and then sewer separately. Jared Fluhr reported that they have to be separate loan applications but completing them at the same time will save the Village a substantial amount.

Mayor Peterson reported that he is a resident of N Shore Dr and has asked the Village since 1995 to please provide sewer and water to N Shore Dr. since 2004 he has pushed for sewer and water to his home. He said that in 2004 TIF was started for Economic Development and infrastructure and that utility extension to the North end of town were part of that plan, as written in the comprehensive plan in 2006. He stated that previously \$5 million has been invested in providing residents with water/sewer and only 7 people have hooked up and that TIF funds were used for this project.

Mayor Peterson reported that the county ordinances state that everyone within 300ft of a water/sewer line must hook up. Peterson says that there are residence within 300ft and that the county has not enforced this ordinance in Port Byron. He says that there are residents that are polluting the river with sewage during flooding.

Mayor Peterson reported that his next-door neighbor has a contaminated well (e-coli) due to the flood last year). He has been pouring bleach in it to try to rid it of the contamination. He has to bring all bottled water in and his wife will not stay in the home until it is corrected. He also reported that a neighbor spent \$18k to up grade the field in his septic system and had to have a porta potty due to last year's flood for 5 months. He said that residents on N Shore Dr have paid about \$40k a year into TIF. He estimated that N. River Dr is about the same paid into TIF. (25 residents total that live on both roads).

Mayor Peterson would like to get the plans going so that he has the chance to go to the EPA and FEMA and ask for help and loans.

Trustee Sloan asked how much total we will need to spend to submit for loans to the EPA. Kevin Baily responded the Village will need to pay for the Phase 2 completion for the additional \$45,000 to go to the EPA.

Jared Fluhr reported that we will have to get through phase 1 and phase 2 in order to submit for grants and forgiveness loans.

Leeanne Carlson (909 N River Dr) reported that about 5 years ago she installed a new well and her water is excellent. She does not want to hook into city water. She would like to have sewer. She was told that she would not have to hook up to water and wanted to confirm that will be the case. Trustee Sloan asked her who had told her that and she said it was during an infrastructure meeting. Trustee Sloan said that there are forced hookup for the other water extension project. Mayor Peterson said that they were provided five years before forced hook up. They were provided with free hookup fees.

Rich Anstrom (neighbor of Leeanne Carlson) sent a letter that she read saying that he is in favor of water and sewer being provided along N. River Dr. He would like to have fire hydrants added into this plan.

Tim Arden (901 N River Dr) reported that he just built a new house on N River Dr and the river rock is 15ft deep. He believes this should be a major factor in the Village's decision to move forward. His experience was that it cost more due to the river rock. He recommends that every area should be tested. He spent a

lot of money on the well and he has great water. He does not want water. He does not believe that the Village is going to be able to get everyone to hook up without going to court.

Sandra Earhart (805 N. River Dr) asked if the railroad company will let us boar under the tracks. She bought a piece of land by the tracks and it was extremely high.

Trustee Sloan said that we are not that far into the process that we have talked with the railroad. Trustee Bitler said that is where we should start first to see if it is even possible. Back in 1996 when sewer was rain down N Main, the railroad refused to allow to continue the project running under the tracks.

Trustee Oney motioned to MSA \$12,500 to complete the phase 1 scope of work for the North Shore Dr./North River Dr. water/sewer extension scope of work, seconded by Trustee

Roll Call #2: Ayes: Trustee Oney, Meade, Mathis

Nays: Sloan, Lindley, Bitler

Absent: None

Mayor Bruce Peterson voted Aye due to tie and declared the motion passed

5. PLANNING/ZONING COMMITTEE GERRY MEADE

Trustee Meade reported that a P&Z meeting will be held in person at Village Hall on October 14th

6. ORDINANCE, GRANTS & AUDITS PATTY LINDLEY

a. Sidewalk Ordinance

Trustee Lindley reported that herself and Sarah are still working on the wording for updating the dangerous dog ordinance. Looking at approved methods for attacking animals to restrictions for them instead of putting them down

Trustee Lindley reported on the off-road vehicle ordinance. It has been determined that the bike path is our responsibility and we can gain permission for golf carts to use a certain portion of it. She is working on costs for the warning signs for golf carts and such to cross Hwy 84.

Trustee Oney reported that he has completed the sidewalk ordinance and wants to move forward on approving it.

Attorney Gorham said that this ordinance does not fall under public nuisance code as written and the Board should not approve this until it is retitled. There would need to be a public meeting in order to pass a public nuisance ordinance. She will work on changing it for approval by placing it under streets and sidewalks. The Sidewalk Ordinance was tabled.

7. PERSONNEL BRIAN BITLER

a. Executive Session

Trustee Bitler would like to move the Executive Session to the end of the meeting

B. PUBLIC WORKS DON LOY/ERIC SIKKEMA

1. **PUBLIC WORKS (RECYCLING/REFUSE, BLDG. & GROUNDS/STREETS & STREET LIGHTS** **DUSTIN SLOAN/BRIAN BITLER/BO MATHIS**
 - a. Security Cameras for Shop
 - b. Post Office – Petersen Plumbing (TIF Account) - \$883.75
 - c. Mural Removal – Power washing vs. Sand Blasting (Midwest Blasting \$800.00)

Trustee Bitler reported that the security camera conversation was postponed and now he would like to have it tabled due to considering other options like a possible fence.

Trustee Lindley reported that she is out at night and has not seen anyone down there.

Trustee Bitler said he understands Eric’s concern, but they will discuss other options.

Trustee Bitler reported that Petersen Plumbing work that was done on 2 toilets at the post office. He also asked if it was part of our lease agreement that we were responsible. Mayor Peterson said that we are responsible.

Trustee Sloan made a motion to approve paying Petersen Plumbing \$883.75 for post office repairs, seconded by Trustee Bitler

Roll Call #1: Present: Trustees Sloan, Bitler, Oney, Lindley, Meade, Mathis

Absent: None

Mayor Bruce Peterson declared the motion passed

Clerk Engels reported that the maintenance staff completed the power washing of the mural and they said that it should be good enough to paint over. Trustee Bitler raised concerns about how much it cost the Village to have the mural painted and the short length of time it lasted. After discussion it was decided that there is no need for sandblasting and the maintenance staff should go ahead with painting.

2. **WATER/SEWER** **BRIAN BITLER**
None
3. **CEMETERY** **GERRY MEADE**
None
4. **ADMINISTRATIVE**
 - a. Minutes from 092120 Board Meeting (C/A Item A)

V REVIEW ITEMS ON CONSENT AGENDA

A	Approve	Minutes from the 092120 Board Meeting
B	Receive	Minutes from the 091220 Planning and Zoning Meeting

VI MOTION TO APPROVE CONSENT AGENDA

**Trustee Sloan made a motion to approve the Consent Agenda, seconded by Trustee Bitler
All “Ayes”, no “Nays” - Mayor Peterson declared motion approved**

VII CORRESPONDENCE

None

VIII OLD BUSINESS

Trustee Lindley asked Sarah to report on 305 N Main. Sarah reported that it is still under the auction.com and they have legal rights on how many times they are allowed to run the auction. The relator will contact her when it is listed. Trustee Lindley asked if we could mow the grass and charge them. Sarah said that we can write a ticket, mow the grass and put a lien on the property if our ordinance states that.

Mayor Peterson reported that the Vance property is also in foreclosure and is in the same state.

Trustee Sloan reported that the Boy Scouts fell a little short on sheeting, but other than that it is complete. They will be submitting receipts for materials that the Village will need to reimburse them for.

Trustee Sloan received a call about a manhole that was uncovered. Eric went on Sunday and fixed it. He wants to give Eric recognition for fixing it so quickly.

IX NEW BUSINESS

Trustee Lindley received a call about trespassing on an easement. She provided them with a copy of our trespassing ordinance, and they will be contacting the Sherriff.

Trustee Oney reported that the road needs to be patched by his home and the kids are pulling it up with their hands.

Trustee Mathis had a resident contact him about not being reimbursed his sewer cost after filling his pool. He has contacted the Village several times. Clerk Engels asked for him to provide her with the information after the meeting and she will pass it along to Carol.

X GALLERY – QUESTIONS, COMMENTS (Comments must be limited to 5 minutes per person, 30 minutes per subject.)

Sarah Ford (the Review Newspaper) reported that she has heard of complaints of violence at Whispering Hills and asked if there has been anyone that could obtain police reports. She also said that there is a complaint of a homeless camp in the woods and meth use reports.

XI COMMENTS FROM THE MAYOR

Rotary Club cleaned up the River front

EXECUTIVE SESSION

Trustee Sloan motioned to go into Executive Session

Attorney Sarah said that you have to give the statutory code to motion to go into Executive Session.

After much confusion on what could be discussed in closed session the closed session was cancelled.

XII ADJOURN

Trustee Oney made a motion to adjourn, seconded by Trustee Bitler

All Ayes, No Nays – Mayor Peterson declared the meeting adjourned at 7:55pm

Approved (Date)

Mayor – Bruce Peterson

Village Clerk – Jamie Engels

