

**BOARD MEETING
VILLAGE OF PORT BYRON
120 S. MAIN ST.
DECEMBER 14, 2009 – 6:00 P.M.**

The second December Board Meeting was called to order with the Pledge of Allegiance by Mayor Robert Wilson at 6:00 P.M. on December 14, 2009.

**Roll Call #1: Present: Trustees: Harold French, Scott Sidor, Terri
Thornton and Todd Wiebenga
Absent: Trustees: George Bathje and Shawn VanDriessche**

Also absent was Village Clerk Janet Fletcher.

Also present: Rick Kessler, Public Works Supt.; Clayton Lee, Attorney, Shirley Hollister, Deputy Clerk/Water Clerk.

COMMENTS FROM MAYOR WILSON:

1. Mayor Wilson addressed the meeting and noted there have been various vehicles parked along the snow removal route when the snow fall has been over 2". This is in violation of one of the Village's Ordinance. Deputy Myers has written three tickets this past week for this offense.

GALLERY:

1. Sarah Ford from the Green Committee presented a proposal to Adopt a River Project.. The committee is recommending that the Port Byron Green Committee adopt two river miles, 497 and 498, through Living Lands and Waters Adopt-a-Mile program. The Green Committee will perform at least two clean-ups along the river each year.

The question was brought up regarding whether a signed liability waiver was necessary. Mayor Wilson advised the board that he had check with the Village's Attorney and he said the waiver would not be necessary since no money is involved.

Motion by Trustee Thornton, seconded by Trustee Wiebenga, to approve the Green Committee adopting two river miles, 497 and 498, through Living Lands and Waters Adopt-a-Mile program.

RC #2 – Ayes: Trustees French, Sidor, Thornton, Wiebenga

Nays: None

Absent: Trustees Bathje, VanDriessche

Mayor Wilson declared motion carried.

**Village of Port Byron
BOARD MEETING
December 14, 2009**

AGENDA – No changes were noted in the agenda.

TIF - No new report.

COMMITTEE INFORMATION

A. PUBLIC INFORMATION/FINANCE COMMITTEES

- a. **Village Finance** - Trustee Sidor presented Ordinance M091412 for the Levy and Assessment of taxes for the fiscal year beginning April 1, 2010 and ending March 31, 2011 at 4.99% increase. (C/A Item E)
- b. **Zoning/Planning** –
 - a. Trustee French presented the minutes from the 11/18/09 Zoning Committee meeting. (C/A Item C)
 - b. Trustee French presented the Zoning Committee's request for the variance approval for Rick and Pam Goodwin to construct a garage on their property at 811 Third Street in Port Byron with the recommendation for the Village to vacate 10 ft. of the existing Third Street Village Property in front of the Goodwin property. **Motion by Trustee Sidor, seconded by Trustee Wiebenga, to approve vacating 10 ft. of the existing Third Street Village property in order for the Goodwin's to construct the garage as desired.**
RC #3 – Ayes : Trustees Sidor, Wiebenga, French, Thornton
Nays: None
Absent: Trustees Bathje, VanDriessche
Mayor Wilson declared motion carried.
- c. **Ordinance, Personnel, Grants & Audits** – No new report.
- d. **Public Health** – No new report

B. PUBLIC WORKS COMMITTEES

1. **Water/Sewer/Garbage**
 - a. Rick Kessler's November report is on the Consent Agenda. (C/A Item B)
 - b. Doug Farrren's September and October reports are on the Consent Agenda (C/A Item F)
 - c. Rick Kessler advised the board that the Water Tower Clean and Repair Company is requesting that a contract be signed now in the amount of \$25,883.00 for the cleaning and sandblasting of the water tower which would be completed in the Spring 2010. This price is the same as in 2007. The subject was brought up on whether or not we need to go out for bids on this project. Rick will research this matter and report back to the board at a later date.

**Village of Port Byron
Board Meeting
December 14, 2009**

- d. Discussion was held on the purchase of the backhoe new tires. **Motion by Trustee Thornton, seconded by Trustee French, to rescind previous motion for approval to purchase tires from Graham Tires of Nebraska at \$1,040 since they would not be able to come here to replace tires.**

RC #4 – Ayes: Trustees Thornton, French, Sidor, Wiebenga

Nays: None

Absent: Bathje, VanDriessche

Mayor Wilson declared motion carried.

Motion by Trustee Thornton, seconded by Trustee Wiebenga, to approve the purchase of the backhoe tires from Kress Tire at \$1,172.00.

RC #5 – Ayes: Trustees Thornton, Wiebenga, French, Sidor

Nays: None

Absent: Bathje, VanDriessche

Mayor Wilson declared motion carried.

- e. Rick Kessler reported that since they are having ammonia difficulties within the well water, he would like to see a water meeting scheduled sometime after the first of the year.
- f. Pat Reedy from MSA gave an update on the loan agreement for the sewer project. He stated that we should have the completed agreement by the middle of January 2010.

2. Buildings & Grounds/Streets & Street Lights – No new report

3. Cemetery – No new report.

4. Administrative

- a. Minutes from the 12/07/09 board meeting is on the consent agenda. (C/A Item A)
- b. Minutes from the Green Committee Meeting 10/28/09 is on the consent agenda. (C/A Item D)
- c. Mayor Wilson announced the following winners of the Christmas lighting contest:

Commercial – River Valley Library 214 South Main St.

Residential – Steven Breaux 1302 Lakeside Ct.

Jerry Conner 208 North Main St.

Virginia Carpenter 504 South Main St.

Scott Speers 112 South High St.

Honorable Mention: Mike Lentz 1700 Timber Ridge Dr.

Meghan Smith 2001 Timber Ridge Dr.

Alicia Skalink 2203 Timber Ridge Dr.

Rob Faulkner 1316 Sunrise Lane

Terry Sorensen 202 Bluff St.

All winners will be notified by letter and will be requested to attend our January 4, 2010 meeting to accept their check in the amount of \$50 each.

CONSENT AGENDA

Motion by Trustee Sidor, seconded by Trustee Thornton, to approve the Consent Agenda.

RC #6 – Ayes: Trustees Sidor, Thornton, French, Wiebenga

Nays: None

Absent: Trustee Bathje, VanDriessche

Mayor Wilson declared motion carried.

CONSENT AGENDA

<u>ITEM</u>	<u>ACTION</u>	<u>DESCRIPTION</u>
A	Approve	Minutes from 12/07/09 Board Meeting
B	Receive	Rick Kessler's November 2009 O & M Report
C	Receive	Minutes from Planning & Zoning Committee from 11/18/09
D	Receive	Minutes from Green Committee Meeting 10/28/09
E	Approve	Ordinance M091412 – Levy & Assessment of Taxes 2010/2011
F	Receive	D.Farren's September & October Reports

C. CORRESPONDENCE – None

D. OLD BUSINESS – None

E. NEW BUSINESS – None

F. GALLERY

1. Brian Bitler raised questions on why the rate increase on the sewer at this time. He feels rates have increased too many times over the past months.
Mayor Wilson explained the reason for the rate increase was due to the new sewer project but advised him that we should see a decrease in the sewer rates in February or March since the bids came in lower than expected on the project.

G. ADJOURN

At 6:39 p.m. Trustee Wiebenga moved, seconded by Trustee Thornton, to adjourn the meeting.

RC #7 – Ayes: Trustee Wiebenga, Thornton, French, Sidor

Nays: None

Absent: Trustee Bathje, VanDriessche

Mayor Wilson declared motion carried.

APPROVED

MAYOR ROBERT WILSON

**DEPUTY CLERK SHIRLEY
HOLLISTER**