

## MINUTES

### BOARD MEETING

Tuesday September 8<sup>th</sup>, 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 Tuesday, September 8<sup>th</sup>, 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; Kristie Guardia, Deputy Clerk; Brent Mendoza, RI County Sheriff

#### GALLERY

None

#### COMMITTEE REPORTS

##### A. PUBLIC INFORMATION/FINANCE COMMITTEES

##### 1. VILLAGE FINANCE WAYNE ONEY

- a. 0820 Treasurer's reports including P&L and check registers (C/A Item B)
- b. Visa bill approval
- c. Water Bill Ordinance #V200809

Trustee Oney reported that Village finances are on track and there are no major concerns as of now.

Trustee Oney reviewed the Visa card charges and Clerk Engels reported that Kristie's Visa card was compromised and has charges on it that are being reimbursed by Visa. The total amount due for our charges is \$181.37

**Trustee Oney motioned to approve payment of Visa bills in the amount of \$181.37, seconded by Trustee Bitler**

Roll Call #2: Ayes: Trustee Oney, Bitler, Sloan, Mathis, Lindley, Meade

Nays: None

Absent: None

Mayor Bruce Peterson declared motion passed

Trustee Oney reported that a new water bill ordinance has been created that will make the water payments due on the 3<sup>rd</sup> of every month instead of the 5<sup>th</sup> of the month. This ordinance also makes the owners, not renters, due for the entire bill for their properties and the owner would be responsible for collecting from their tenants. This process would eliminate the Village from having to do collections and not receiving payment if the tenant moves.

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**Trustee Sloan motioned to approve water bill ordinance #V200809, seconded by Trustee Meade**

**Roll Call #3: Ayes: Trustee Oney, Meade, Bitler, Sloan, Mathis, Lindley  
Nays: None  
Absent: None  
Mayor Bruce Peterson declared motion passed**

- 2. TIF BRUCE PETERSON**  
a. Development Agreement – Gibson – Blue Suede  
b. Ordinance #TIF200809A – Gibson – Blue Suede

Judy and Steve Gibson purchased 125 N. Main. The Resolution was approved for their wine bar/VRBO business plan for TIF funding. Mayor Peterson said that having a wine bar will diversify the bars downtown.

**Trustee Sloan motioned to approve the Development Agreement between the Village and Gibson's with TIF funding not to exceed \$67,500. This includes \$25,000 initial payment once project and inspection is complete, seconded by Trustee Mathis**

**Roll Call #4: Ayes: Trustee Sloan, Mathis, Bitler, Lindley, Oney, Meade  
Nays: None  
Absent: None  
Mayor Bruce Peterson declared motion passed**

**Trustee Oney motioned to approve Ordinance #TIF200809A for the Gibson TIF agreement, seconded by Trustee Bitler**

**Roll Call #5: Ayes: Trustee Oney, Bitler, Sloan, Mathis, Lindley, Meade  
Nays: None  
Absent: None  
Mayor Bruce Peterson declared motion passed**

**3. ECONOMIC DEVELOPMENT PATTY LINDLEY**

Trustee Lindley reported that the next Economic Development meeting will be cancelled due to no activities occurring because of Covid and construction. She hopes to resume meetings in October.

- 4. MSA/ IRDC COMMITTEE WAYNE ONEY/JARED FLUHR**  
a. Ordinance #200809B – Eliassen Agreement  
b. Valley Construction Payment Application No. 1  
c. ITEP Grant Application for Downtown – MSA Task Order

The Eliassen family agreed to provide the Village with the easement on their property for the sidewalk project as long as a agreement was created to cover the costs of tree removal if the tree dies due to the construction. The agreement says that the Village will pay up to \$7,000 to remove the tree if it dies within 5 years of the project completion date.

Sarah Gorham drew up 2 different agreements for the Board to discuss. One including

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mandating a professional horticulture professional to review cause of death of the tree if it dies, and the other to not mandate a review of cause of death.

Trustee Sloan said that we should go with the agreement that excludes the clause since we did not have to purchase the easement from them and they donated that.

**Trustee Sloan motioned to approve Ordinance #200809B for the Eliassen tree agreement not mandating a professional opinion of cause of death of the tree, but agreeing to \$7,000 to remove the tree if it does within 5 years after project completion seconded by Trustee Bitler**

**Roll Call #6: Ayes: Trustee Sloan, Bitler, Sloan, Mathis, Lindley, Meade, Oney  
Nays: None  
Absent: None  
Mayor Bruce Peterson declared motion passed**

Jared Fluhr reported that he would like to pay Valley Construction Application 1 payment of \$118,004.18 for work done on Cherry St. There will be one more payment to come.

**Trustee Sloan motioned to approve payment of \$118,004.18 out of MFT to Valley construction for the Cherry Street project, seconded by Trustee Bitler**

**Roll Call #7: Ayes: Trustee Sloan, Bitler, Sloan, Mathis, Lindley, Meade, Oney  
Nays: None  
Absent: None  
Mayor Bruce Peterson declared motion passed**

Jared Fluhr reported that applications for the ITEP grant are being accepted and that the cost for the grant application is \$11,150. Approval of this grant will provide the Village with additional funds for the Downtown Streetscape project and phase 2 engineering.

**Trustee Oney motioned to approve payment of \$11,150 to MSA to complete the ITEP grant application, seconded by Trustee Mathis**

**Roll Call #8: Ayes: Trustee Oney, Mathis, Sloan, Lindley, Meade  
Nays: Bitler  
Absent: None  
Mayor Bruce Peterson declared motion passed**

**5. PLANNING/ZONING COMMITTEE GERRY MEADE**

Trustee Meade reported that there will be a meeting since March on September 9<sup>th</sup>

**6. ORDINANCE, GRANTS & AUDITS PATTY LINDLEY**  
a. Village Liquor License Ordinance #200809

Clerk Engels reported that the Village currently has 4 Class A liquor license with all of those 4 currently issued to businesses. She is requesting that the Board approve an ordinance to add a 5<sup>th</sup> liquor license so that the business Blue Suede will be accommodated.

**Trustee Lindley motioned to approve Ordinance #200809 to provide an available 5<sup>th</sup> class A liquor license for the Village to issue in the future, seconded by Trustee Sloan**

**Roll Call #9: Ayes: Trustee Lindley, Sloan, Bitler, Oney, Mathis, Meade**

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Nays: None  
Absent: None  
Mayor Bruce Peterson declared motion passed

7. **PERSONNEL** **BRIAN BITLER**  
None

**B. PUBLIC WORKS** **DON LOY/ERIC SIKKEMA**

1. **PUBLIC WORKS (RECYCLING/REFUSE, BLDG. & GROUNDS/STREETS & STREET LIGHTS** **DUSTIN SLOAN/BRIAN BITLER/BO MATHIS**
- a. Desk for Water Clerk – Allmakes Furniture - \$1,129.95
  - b. Werner Restoration Services – flooding at Village Hall - \$6,020.27
  - c. Cable moving at Village Hall – Preferred Cable Solutions
  - d. Security Cameras at shop – Midland Technologies - \$3,637.01
  - e. Mower for ditches – Abra Equipment Supply

Clerk Engels reported that the Water Clerk needs a new desk for the renovated office.

**Trustee Sloan motioned to approve \$1,129.95 to Allmakes Furniture for the purchase of a new desk for the Water Clerk, seconded by Trustee Bitler**

**Roll Call #10: Ayes: Trustee Sloan, Bitler, Oney, Mathis, Meade, Lindley**  
**Nays: None**  
**Absent: None**  
**Mayor Bruce Peterson declared motion passed**

Clerk Engels requested that the Werner Restoration invoice be tabled as Kristie received an update that our insurance company is negotiating with them on the flood restoration.

Trustee Bitler reported that the internet and phone lines need to be updated and ran correctly in the front offices and that he feels now is the time to complete this since we are under construction. The work would also include removal of old cables.

**Trustee Bitler motioned to approve up to \$2,900 to Preferred Cable Solutions to upgrade and remove cables in the front office area, seconded by Trustee Oney**

**Roll Call #11: Ayes: Trustee Bitler, Oney, Lindley, Sloan, Mathis, Meade**  
**Nays: None**  
**Absent: None**  
**Mayor Bruce Peterson declared motion passed**

Clerk Engels reported that there was an incident at the shop that involved the police investigating a trespasser. Officer Brent Mendoza was the one on the scene. Eric Sikkema received a quote for security cameras to be placed at the shop. He requested 2 quotes, but only one company showed up. Trustee Bitler requested that this be tabled so that they could look into cheaper options.

Trustee Bitler requested that the Village purchase a ditch mower. This mower will attach to our current equipment and allow for cleaning up of the ditches in the Village.

**Trustee Bitler motioned to approve up to \$2,900 to Preferred Cable Solutions to upgrade and remove cables in the front office area, seconded by Trustee Oney**

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**Roll Call #12: Ayes: Trustee Bitler, Oney, Lindley, Sloan, Mathis, Meade**  
**Nays: None**  
**Absent: None**  
**Mayor Bruce Peterson declared motion passed**

- 2. WATER/SEWER BRIAN BITLER**  
a. Village Water Study – MSA \$9,000  
b. **Elliott Water Account**

Mayor Peterson requested quotes from MSA and V&K to complete a water study for the Village. This study is to analyze water needs that would include items such as wells, water lines, water tower and other needs. MSA quoted \$9,000 to complete the study and V&K came in at \$14,000.

**Trustee Meade motioned to approve \$9,000 to MSA to complete the Village water study, seconded by Trustee Sloan**

**Roll Call #13: Ayes: Trustee Meade, Sloan, Oney, Bitler, Mathis, Lindley, Meade**  
**Nays: None**  
**Absent: None**  
**Mayor Bruce Peterson declared motion passed**

Clerk Engels reported that resident Barbara Elliott's water account was placed on inactive by mistake and has not received a bill since December 2019. She lives alone and most likely used the minimum amount of water that would total somewhere around \$800. We need to see what the board would like to do about the past due amount.

Trustee Sloan feels that the problem is on us since it was our mistake and that she should not be liable to the past due amount.

Trustee Bitler wants to start charging her from the day she called and not to charge the past due amount. Stating that we would not have known if she did not call us.

Trustee Lindley reported that there are several residents that are snowbirds and go on inactive and it is not caught all of the time to turn back on.

Trustee Oney says that we should caution giving her forgiveness on the past due amount do to having to do that for all residents that maybe in the same situation. Suggesting a payment plan for the past due amount.

**Trustee Oney motioned to approve a payment plan for Barbara Elliott and requiring her to pay the past due amount over a 12month period, seconded by Trustee Lindley**

**Roll Call #14: Ayes: Trustee Oney, Lindley**  
**Nays: Meade, Sloan, Mathis, Bitler**  
**Absent: None**  
**Mayor Bruce Peterson declared motion not passed**

**Trustee Bitler motioned to forgive the past due amount and start charging Barbara Elliott from the current billing cycle, seconded by Trustee Sloan**

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**Roll Call #15: Ayes: Trustee Bitler, Sloan, Meade, Mathis  
Nays: Oney, Lindley  
Absent: None  
Mayor Bruce Peterson declared motion passed**

**3. CEMETERY GERRY MEADE**

Trustee Meade says he has been in contact with Kristie and that there will hopefully be a meeting scheduled in the near future.

**4. ADMINISTRATIVE**

a. Minutes from 0080320 Board Meeting (C/A Item A)

**V REVIEW ITEMS ON CONSENT AGENDA**

A	Approve	Minutes from the 080320 Board Meeting
B	Receive	0820 Treasurer's reports including P&L and check registers

**VI MOTION TO APPROVE CONSENT AGENDA**

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

**VII CORRESPONDENCE**

Clerk Engels reported that she met with Barb Cray to train on the election process. The candidate packets will be available September 22<sup>nd</sup> and will need to be returned by November 23<sup>rd</sup>.

**VIII OLD BUSINESS**

Trustee Meade asked Sarah Gorham for an update on the property at 305 N High Street. Sarah reported that it is up for auction again and if it does not have a bid in the next few days that she will be getting an update from a relator as to when it will be listed.

Trustee Sloan reported that Mitch the Boy scout is hoping to receive approval from them on the old gazebo project he submitted and is planning on starting soon.

Trustee Meade reported that he believes that there is an oversight in our interest in the new vet clinic. He would like for us to take a tour. Trustee Mathis says that they are only doing curbside appointments as of now, just like his vet and we should wait until they are open to the public.

Mayor Peterson says that if anyone from the Board speaks with the Fousts that they ensure that we get receipts and invoices for their completed projects.

Trustee Bitler says that he believes that this should have already taken place, because Doug would not have provided them permission to open the building without a final inspection.

Trustee Meade suggested that someone from the TIF committee contact Doug Streeter and the Fousts.

Trustee Oney reported about the dog attack that took place a couple of months ago. Trustee Bitler reported that he has contacted them and that there are no ordinances to put the dogs down.

Trustee Lindley reported that there is a RI county ordinance on their website in regard to financial

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responsibilities and vicious dogs. Trustee Lindley is working with Sarah to update our Village ordinance to reflect the same.

**IX NEW BUSINESS**

Trustee Meade asked the Clerk if there was going to be onsite voting or the voting trolley available in Port Byron. Clerk Engels reported that she has not received confirmation from RI County yet as to what their plans are. Their webpage also says “to be announced”

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

**XI COMMENTS FROM THE MAYOR**

a. Adopt a garden recognition – Rotary Club

Mayor Peterson reported that the Rotary Club completed the garden work on the garden a crossed from Sandstroms. He said that the Rotary Club will be purchasing a sign to announce their adoption of the garden.

Mayor Peterson reported that he will be calling an Executive Session to discuss personnel issues. He has concerns about personalities and other items to discuss concerning staff. He wanted the session to be at the next meeting but Trustee Bitler said that he would be gone at the next meeting and requested that this session take place on the first meeting in October so that he can be present.

**XII ADJOURN**

**Trustee Meade made a motion to adjourn, seconded by Trustee Sloan**

**All Ayes, No Nays – Mayor Peterson declared the meeting adjourned at 7:47pm**

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Approved (Date)

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Mayor – Bruce Peterson

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Village Clerk – Jamie Engels

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