

Village of Byron
Regular Council Meeting Minutes
April 13, 2015

Meeting called to order at: 7:01 pm by President Brunell

Pledge of Allegiance Led By: President Brunell

Roll Call – Present: Miller, Prestonise, Bessenbacher, Berecz, Cole, Orr, and Brunell

Others Present: Vicki Murphy, Christina Granger, Mike Granger, Bryan Mickelson, Chris and Patsy Morse, Rick Hansen, Rose Thompson, and Jeremy Root.

Approval of Minutes: Approval of March 9, 2015 minutes as written; motion by Cole and seconded by Berecz. Voice Vote: All Ayes, Miller, Prestonise, Bessenbacher, Berecz, Cole, Orr, and Brunell; Passed. Approval of March 31, 2015 minutes as written; motion by Cole and seconded by Miller, Voice Vote: All Ayes, Miller, Prestonise, Bessenbacher, Berecz, Cole, Orr, and Brunell; Passed.

Approval of Agenda: Motion to approve the agenda by Cole and seconded by Miller; Cole withdrew motion because Prestonise requested adding letter I, sewer and water bills. Cole motioned to approve agenda as amended adding letter I, sewer and water bills; second by Orr. Voice Vote: All Ayes: Miller, Prestonise, Bessenbacher, Berecz, Cole, Orr, and Brunell; Passed. No Public Comments on Agenda items.

DPW - Report accepted as presented. Granger talked about the trees at Byron Manor and the need for removal because interferes with sewer system. Brunell asked if letter was sent and Reed replied yes. Brunell said send another and have them sign for it. Granger explained the bridge work that needs to be done and Brunell said to Miller that it was part of his committee and to check into it.

Police - Report accepted as presented

Jeremy Root- Root explained that the finance and administrative meeting for county was held and they tried to end health care, pension, and mileage pay. Hiring in clerk and prosecutor's office even with hiring freeze. Repairs being done on court house and county equalization is waiting on numbers.

Treasurers Report – Treasurer read funds by line summary; total CD \$307,860.53; total Checking \$ 631,686.39; total Savings \$ 211,308.38; with Total Funds \$1,169,088.82; Total DDA \$ 18,233.52 Report to stand pending audit.

Unfinished Business: A) Resolution (Tabled from March31, 2015): Brunell explained the resolution and asked for councils recommendations. Not hearing any recommendations from council, the resolution died.

New Business: **A)** Hamilton Drain Project: Brunell explained the project. Berecz asked about the differences in feet on quotes and Granger answered that it was just a guess. Bessenbacher said Perrin lowest and they have done a great job before. Berecz motioned to accept Perrin Construction for the Hamilton Drain Project in the amount of \$41,310.00; Bessenbacher seconded. Roll Call: All Ayes-Miller Bessenbacher, Prestonise, Berecz, Cole, Orr, and Brunell; passed. **B)** Hanson Quick Stop Update: Hanson gave update on Quick Stop Project and inquired about sidewalks and if he replaced would he receive any

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kind of tax abatement. Brunell replied that we would have to meet with DDA. Hanson said we are about 30 days away and that he had some sidewalk quotes and Brunell responded that a meeting would be set up DDA, Miller, and Hanson. **C)** Byron Police Chief Recommendation: Brunell explained what was sent to the Chief and turned the floor over to Gormley. Gormley asked if we had received any communication from Chief and Brunell answered no and his absence explains itself. Gormley then explained the letter that was sent and that Wilburn will act as temporary chief. It is your call. Brunell asked if anyone had questions and how did they want to proceed. Berecz said that we should appoint Wilburn as chief and Brunell said it was only temporary. Gormley explained the appointment process. Berecz asked why they didn't receive a heads up on this issue and Brunell explained that some of this was brought up to and by council. Miller said that all of this was done before handbook approved. Gormley explained emails from February 10, 2015, March 17, 2015, and the Risk Management on April 1, 2015. Brunell said that's what this is a written reprimand. He does not respond to any communications and that she was informed that he turned in his keys, except one for building. We have had officer's complaints since August. She also explained the office condition, the contact with an officer by Sampey and the updated office condition; I can't say he was here. Prestonise said he has a problem with all 3 offences being listed in the same letter. You should have done it a long time ago. Gormley said it was a group 3 offence and April 1st was the biggest. Prestonise asked if you need a motion or something and Gormley replied yes. Prestonise said he would make a last chance...Gormley said you can't. Prestonise responded that in the union you can and Gormley said this is not a union and he is an at will employee. Miller asked if reprimand or dismissal and Gormley said it is up to council. Miller motioned that it become a verbal reprimand and Bessenbacher seconded. Roll Call: Ayes-Miller, Bessenbacher, Prestonise, Berecz, Orr. Nays: Cole and Brunell; passed. **D)** Payroll ACH: Brunell explained about missing checks and Reed explained that an officer said he was missing a check and that she was waiting for the information. Brunell explained why checks were mailed and what the ACH form was for. Gormley explained that they could change the pay date to Thursday. Miller asked if a motion was needed and Gormley said yes. Miller motioned to change the pay day from Friday to Thursday and Berecz seconded. Roll Call: Ayes-Miller, Bessenbacher, Berecz, Cole, Orr, and Brunell. Nays: Prestonise; passed. Reed explained that it would be ready by next pay day if the forms are submitted this week. **E)** Committees: Brunell explained the committees and that she could appoint a chairman but, would leave chairman appointment up to the committees. She also said that the committees need to contact the clerk when meeting is planned so that she can post them. Prestonise said you have non-voting members on the committees. Berecz said we are sharing duties and some are on more than one. Prestonise deferred to Gormley. Gormley said you can make a motion and read from Rules of Procedures about committees. He also said you can amend the Rules of Procedures by adding a letter to the agenda. Prestonise motioned to add J, amending Rules of Procedures, to the agenda; seconded by Miller. Roll Call: Ayes-Miller, Bessenbacher, Prestonise, Berecz, Cole, Orr, and Brunell; passed. **F)** Water and Noise Ordinance: Brunell explained passing over F because of J. **G)** MAGNET Request: Brunell explained MAGNET and Miller motioned not to support the MAGNET Proposal; seconded by Cole. Voice Vote: All Ayes-Miller, Bessenbacher, Prestonise, Berecz, Cole, Orr, and Brunell; passed. **H and I)** Anthony Prestonise and Water and Sewer Bills: Brunell explained the utility mailings and Reed and Tykoski explained the late fee extension. Tykoski also explained that we are set up as a prepay. Brunell asked if it answered Prestonise concern about the utility bill due date. Prestonise said yes. **J)** Amend the Rules of Procedure: Prestonise said he was not sure how to make....Gormley explained what he wanted and Prestonise motioned to amend the Rules of Procedure that committees can only be voting members of the council only and that trustees can contact Village Attorney; seconded by Miller. Roll Call: Ayes-Miller, Bessenbacher, Prestonise, Berecz, and Orr-Nays-Cole and Brunell; passed.

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Approval of Expenditures: Berez motioned to approve the bills and Miller seconded. Roll Call- All Ayes: Miller, Bessenbacher, Berez, Cole, Orr, and Brunell; Nay: Prestonise, Passed. Bessenbacher asked about Reed's hours on check 23962. Reed explained it was during budget time. Miller asked to have Gormley bill explained including DDA portion. Tykoski explained the breakdown of the bill.

Council Comments: Orr, Cole, Bessenbacher no comments. Miller explained what happened in his committee meeting and that they would like to take mowing down to \$10.00/hour. Prestonise asked what the function was of the zoning committee and Brunell explained that the first thing zoning and planning needs to do is review the Code of Ordinance and the Master Plan and submit it to council. Gormley explained that they need to look at both sides. Brunell explained the request by the officers to have Cemetery rules posted. Prestonise explained how the minutes only need to be posted as a synopsis. Berez asked when we were going to deal with the DPW contract and Brunell said we will add it to next month first thing. Gormley requested the complete sewer permit and that all indications are leading to a solution.

Public Comments: Bryan M. asked if there was an ordinance on how many cars could be owned. Gormley said they have to all be operational and licensed. Patsy M. inquired about garbage contract and if public would be notified before any changes. Also, requested copies of letters about tree removal to Byron Manor. Both Reed and Brunell said she would get copies of past and new letters. She suggested putting a library in one of the vacant lots and would like an ordinance to let residents have chickens in there yard. Brunell responded on the library issue and that she is working on it. Christina G. stated that she received the attorney's letters and that she was just asking if the officers could be present. She went on to say that Prestonise daughter had no reason to contact her and she is tired of the harassment. She told Prestonise not to invite people to your home when you don't own it. Rose from the VFW asked permission to sell poppies on the corner of the 4-way stop. Reed gave her a permit and Bessenbacher motion to approve the ladies auxiliary to sell poppies on May 7-9, 2015 from 8am until 6pm; seconded by Miller. Voice Vote: All Ayes- Miller, Bessenbacher, Prestonise, Berez, Cole, Orr, and Brunell; passed. Murphy said consumers needed to be contacted again about the gas leak before the start of the Hamilton Drain Project. Brunell said Reed would contact them.

Meeting adjourned at : 8:53 pm; motioned by Miller and seconded by Brunell.

Marsha Reed, Clerk

Date


Kit Brunell, President