

Village of Byron  
Regular Council Meeting Minutes  
December 8, 2014

Meeting called to order at: 7pm by President Brunell

Pledge of Allegiance Led By: President Brunell

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

Approval of Agenda: Amended agenda: Letter E) DDA-TIF/DP, Police Report letter C) Additional repair cost, and under New Business letter F) Event Permit. Cole motioned to approve agenda as amended and Brunell seconded. 4 Ayes and 1 Nay. Passed

Approval of Minutes: Cole motioned to approve the minutes and Brunell seconded. All Ayes. Passed

Treasurers Report – Treasurer read funds by line summary; total CD \$307,860.53; total Checking \$599,564.46; total Savings \$211,303.36; with Total Funds \$1,136,934.73. Report to stand pending audit.

Approval of Expenditures: Cole motioned to approve checks 23738-23776 with exception of voided check 23765 and EFT 35, seconded by Brunell. Roll Call did not pass because Prestonise questioned bills from BSA, Chase, Elhorn, and Miss Dig and Orr questioned Coffield Oil. Questions were answered by the Clerk, Treasurer, and Granger. Also, the question was asked about not paying hand written time cards and Reed explained that Sampey's card was approved for payment by Prestonise, President-Pro-Tem at that time. Letters need to be posted stating that we will not pay hand written time cards; they must be punched with name on them. Cole re motioned to approve amended expenditures and checks 23738-23776 with exception of voided check 23765 and EFT 35, Brunell seconded. Roll Call all ayes by Bessenbacher, Cole, Orr, Prestonise and Brunell. Passed.

Unfinished Business A) Approval/signing of Attorney contract. Motion by Prestonise to accept Attorney Contract, seconded by Brunell. Roll Call all ayes by Orr, Cole, Bessenbacher, Prestonise, and Brunell. Passed. B) DDA hearing January meeting. Gormley explained DDA as planning commission and how it is different from Development District. New map for the change and the ordinance needed. Notice needs to be published twice. Rowe Engineering was called for new map information and PEA was another suggested map company. Brunell motioned to table cost of map until January meeting, Cole seconded. Voice Vote all ayes by Orr, Cole, Bessenbacher, Prestonise, and Brunell. Passed. C) DDA Appointment of Miller and Dickinson. New term of 4 years. Motion by Brunell to appoint Miller and Dickinson to 4 year terms on the DDA, seconded by Cole. Voice Vote all ayes by Orr, Cole, Bessenbacher, Prestonise, and Brunell. Passed. D) Letter of Intent. Received 4 letters, Ron Berecz, Melanie Bresett, Hugh Miller, and Christina Granger. Motion by Brunell to appoint Melanie Bresett as a trustee, seconded by Cole. Voice Vote 2 Ayes by Cole and Brunell, 3 Nays by Orr, Bessenbacher, and Prestonise. Disapproved. Motion by Bessenbacher to approve Ron Berecz as a trustee, seconded by Orr. Voice Vote 3 Ayes by Orr, Bessenbacher, and Prestonise. 2 Nays by Cole and Brunell. Passed. Motion by Bessenbacher to approve Hugh Miller as a trustee, seconded by Prestonise. Voice Vote all ayes by Orr, Cole, Bessenbacher, Prestonise, and Brunell. Passed. At the suggestion of Gormley, a motion to adjourn for 5 minutes to swear in new trustees by Reed was made by Brunell and seconded by Bessenbacher. Voice Vote all ayes by Orr, Cole, Bessenbacher, Prestonise, and Brunell. Passed. Meeting resumed at 7:48pm.E) DDA-TIF/DP. On Page 5 of DDA ordinance, Brunell explained the changes of the 2 properties taken out of DDA

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Development. Cole questioned map in the DDA Plan. Gormley explained we are getting new map and DDA will pay for it. Motion to adopt the DDA by Brunell, seconded by Cole, Roll Call all ayes by Orr, Cole, Bessenbacher, Miller, Prestonise, Berecz, and Brunell. Passed.

DPW –Brunell said she talked with Hanson in regards to the drain issue and touched on time line, April when building down. Matt has hour cap of 200 hours and is on call, as a part time DPW employee, at when needed by DPW. Weekly hours allowed are 24. Bessenbacher asked to have training start for Mike's job in case he retires. C2AE estimated cost is \$38,000.00 and we may have to look for grants to help with cost. Miller will research the grants. PCS said that they will take it off the bill and will take \$300.00 off. Prestonise questioned DPW working on his property while on Village time. Brunell responded that he was working and picking up brush and since he is a tax payer he is allowed to pick up brush from his property. Prestonise questioned non employees on or in Village equipment. Brunell responded that 2 weekends ago Bancroft employee was on/in Village equipment and according to the minutes from June 2013, we have an agreement with Bancroft that allows it. Report accepted as presented.

Police –Wilburn presented report in place of Sampey. Wilburn stated that all of Brandon Miller's equipment was returned except ID badge and he will collect that. A) Report fees will be moved on after first of year. B) Brunell explained that with Sampey's permission the clerk will be opening Police mail and box in office. Gormley suggested clerk should be lien trained. Clerk will contact Sampey on training. Report accepted as presented.

New Business- A) Door Locks on Office Doors: Bessenbacher asked why it was done before brought to Council. Gormley responded by stating MCL 461 policy needed. Berecz inquired about a lock on copier. Prestonise motioned President, clerk, treasurer, and all trustees and police chief have keys to office. Bessenbacher seconded. Berecz does not want key to Police department. Cole and Orr does not want key. Roll Call: 2 Ayes by Bessenbacher and Prestonise. 5 Nays by Orr, Cole, Miller, Berecz, and Brunell. Not Passed. Bessenbacher motioned that clerk/treasurer and President have 72 hours to respond to request during Monday – Thursday work hours and only Clerk and Treasurer have keys. Berecz seconded. Roll Call: All Ayes by Orr, Cole, Miller, Bessenbacher, Prestonise, Berecz, and Brunell. B) President Pro-Tem Amending Illegal Appointment (9/18/14-12/8/14): Gormley explained September 18, 2014 special meeting when Brunell resigned, can't amend agenda, , to appoint President Pro-Tem. Open meetings act need to appoint President Pro-Tem tonight. Brunell motioned to amend agenda, Letter G, to appoint President Pro-Tem until November 19, 2015. Seconded by Prestonise . All Ayes by Orr, Cole, Miller, Bessenbacher, Berecz, Prestonise, and Brunell. Passed. C) Brunell explained workshop and asked Gormley if it needed to be posted. He replied yes, post it. D) Amending treasurer hours: Brunell explained the need to add 2 hours per week for treasurer. Cole asked if DDA paying Village for our time. Brunell said they are part of the Village Gormley said that DDA will handle their own clerk/treasure and how minutes stated clerks hours. Lynndsy explained her need for 12 hours. Brunell motioned to give a cap of 12 hours until March 1, 2015 and then revisit and go back to 10 hours per week if need be. Miller seconded. Roll Call: 6 ayes by Orr, Cole, Miller, Bessenbacher, Berecz, and Brunell. 1 nay by Prestonise. Passed. E) President, with consult from Chief Financial Officer (Mrs. Cole), approve NOT MORE than \$500.00 emergency expenditure between meetings: under Attorney Advisement: Gormely said that the



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DPW and Police Chief have \$1000.00 each to spend at their will with no oversight at all, while President has none. Gormley suggested that they need approval from same 2 people, President and CFO and give President \$500.00 spending authority and reduce DPW and Police Chief to \$500.00 with approval from President or CFO. Gormley suggested that going forward both DPW and Chief of Police be contacted in writing that they need approval from President or CFO. Miller motioned to allow the President ~~\$500.00~~ <sup>\$5000.00</sup> spending for emergency funds between meetings with approval from CFO and the DPW Supervisor and Chief of Police reduced to \$500.00 and need approval from President or CFO. Seconded by Berecz. Roll call: All Ayes by Orr, Cole, Miller, Bessenbacher, Berecz, Prestonise, and Brunell. Passed. F) Event Permit- Permit is for Old Newsboys on 12/12/14 from 8am-6pm at the downtown intersection. Motion to approve permit by Cole, seconded by Bessenbacher. Voice Vote: All Ayes by Orr, Cole, Miller, Bessenbacher, Berecz, Prestonise, and Brunell, Carried. G) Elect President Pro-Tem-Gormley explained that one of Council members can make the motion for President Pro-Tem. Motion made by Miller to have Prestonise as President Pro-Tem, seconded by Bessenbacher. Roll Call: All Ayes by Orr, Cole, Miller, Bessenbacher, Berecz, and Brunell : Prestonise refrained, Passed.

Committee Reports

Cemetery – None

DDA- None

Planning – Brunell submitted Planning Commission resignation.

Council Comments: Cole invited everyone to her house to see decorations. Bessenbacher said that she felt that Brunell needs to make a apology in the paper for her comments and letter she read. Prestonise said he is kind of on the same page and he feels that we all need to work together. But, I haven't seen any changes. Are you going to do it again, I just don't understand. I heard the other day at the DDA meeting that you were giving the chairs away and they are still Village property and Council approval still needed or show in the minutes where approval given other than the tables. Berecz said that he wanted to say thank you for allowing him to be part of the Council. The chairs belong to the tax payers and we should sell them for a \$1.00 each. Brunell said that the clerk is stamping packets with the date available and as for the agenda items the permits and fees were asked and answered on October 13, 2014 by Delaney and on October 21, 2014. Prestonise said he never got an answer. Brunell said back on August 19, 2013 he was responsible for electrical, mechanical, and building. Fee schedule on wall and he submitted the fees that the County charges. February of 2013 Delaney was hired on an on call basis. Prestonise said it still does not answer the question. Gormley said to adopt building code ordinance and resolution. Brunell said that she will investigate further and will check on Delaney contract more. Brunell also said that it should become a practice that if we have issues we should adopt the use of a grievance form and it will create a paper trail that we can track. Gormely said we have to offer closed session. Reed said Charter will increase the bill by \$200.00 per month. She then explained Karl Witt and his quote. Council gave approval to have Karl come in and give quotes.

Public Comments: My name is Christina Granger and I submitted a letter for Trustee position and was surprised at how fast a decision was made. As Deputy Clerk I do know my job and had to recount the votes for write in names, such as, Mikey Mouse, Bozo, etc. I know that I could do either of their jobs. It is an embarrassment and a circus to see how the council acts. I would suggest higher liability insurance

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because of the way council acts. I can't wrap my head around the childishness and the board needs to grow up.

Mike Lochicco asked if anyone could clarify if his property has an easement or does it belong to the bank or Matadors. Brunell said she would find out for him.

My name is Lynn Stork and I have worked in the community for 20 years and bought the old Dentist office and opened a new business. It is good to see new legal counsel and as a new business owner, I would like to see things move forward. Play fair and work together.

Meeting adjourned at : Motion to adjourn at 10pm by Bessenbacher, seconded by Miller. Voice Vote: All Ayes by Orr, Cole, Miller, Bessenbacher, Berecz, Prestonise, and Brunell. Passed.



Marsha Reed, Clerk

11/12/15

Date



Kit Brunell President