

Village of Byron  
Regular Council Meeting Minutes  
February 9, 2015

Meeting called to order at: 7pm by President Brunell

Pledge of Allegiance Led By: President Brunell

Roll Call – Present : Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell. Absent: Cole. Others Present: Vicky Murphy, Lynn Stork, Rob Vandemark, Christina Granger, and Chris Johnson

Approval of Agenda: Agenda amended A in New Business to remove the word Adoption also add F to appoint FOIA Coordinator and add F under Unfinished Business; Prestonise asked to have Pay Ordinance added. Motion to approve agenda as amended Bessenbacher; Seconded by Miller. Voice Vote- All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; 1 Absent- Passed. Call to Public on Agenda Items; No Comment.

Approval of Minutes: Change to January 12, 2015 Minutes: excerpt from FOIA Law. Motion to approved amended minutes by Bessenbacher; Seconded by Berecz. Voice Vote-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; Passed

Treasurers Report – Treasurer read funds by line summary; total CD \$307,860.53; total Checking \$618,648.26; total Savings \$211,308.38; with Total Funds \$1,155,538.69. DDA Checking \$17,729.52. Report to stand pending audit.

Approval of Expenditures:

DPW – Report accepted as presented. Berecz asked why no stop sign in place. Brunell responded that the County will have to come in and redrill post hole and that there is a temporary sign in place. Berecz said that you can go to County for sign or post and will bill us for the item(s). Prestonise asked if we are plowing sidewalks with trucks. Brunell responded no per ordinance also, had verbal discussion with Granger about plowing sidewalks with truck and not to do it again. Bessenbacher responded yet still happening. Brunell stated that she will readdress the issue.

Police – Report accepted as presented. Berecz said that he was approached by business people about people running stop sign-maybe Police should watch and ticket. Really bad around school time with people running it. Brunell responded maybe we should look into blinker for South side. Gormley said that there are height regulations for temporary sign and if it doesn't match you may not write tickets.

Jeremy Root - The week started with meetings and a 911 dispatcher is needed. Sheriff millage of half a mill for 3 years and will put 6 or 7 deputies back on the job. It will be on May election. Brunell said that Channel 12 reported the Sheriff millage. Root said it is part of Snyders plan and he is making sure road patrol are out there. C Granger asked if any of the money would be divided among the DDA's. Gormley said it is required by law that a portion has to go to the DDA. Berecz said that the web site still shows the wrong Sheriff. Reed will check out the web site and update it.

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Unfinished Business: A) Tri County Wireless: No information received. B) FOIA Officer Appointment: Hold until New Business Letter F. C) Grievance Policy: Brunell asked Prestonise if he had updated the grievance policy. Prestonise responded no, I thought we tabled it and I don't think you really want to get into a grievance policy. In the Employee Handbook all we need to do is add a page or 2 about incident report and what they can do about it. Berez said that the grievance is really the second part of incident report. Gormley said that the Handbook reads if we have a problem, does the employee have a grievance policy to come back to. I think the real problem is if the employee has an issue with the department head or member of the Council, where they have been disciplined, how they would address that back and that is what Brunell was trying to do. I will go back to what I said 3 meetings ago when I said your personnel manual needs a lot of work, maybe what Brunell proposed. This is one of many issues that you want to look at and that is what we are trying to do with the resolution. There has to be some way to redress the issues. Prestonise said I think we had that at one time with the committees. Gormley said that a committee can't make the decision the can only recommend a finding. Berez said a committee can only investigate and bring the findings and recommendations back to council. We would need some kind of paper trail so you would have to come up with some kind of form. Miller said you know you would need 2 people. If they had a problem with the President they would need a Council member they could approach. If it was a Council member they could go to the President. Prestonise said that the employee should have a say and that's my opinion. If we wrote someone up and gave them 3 days off. Gormley said that's when they could file a grievance. What if an employee is having a problem with a Trustee and they bring that issue to the council, there is no grievance method because that trustee can't actually write him up for anything. That's why we need to address it in the manual along with some other issues. I could, with as much help or little help as you want try and come up with something. Miller said you know you would need 2 people. If they had a problem with the President they would need a Council member they could approach. If it was a Council member they could go to the President. Gormley said assuming you had a policy; you could always have the employee file the complaint with the Clerk and put it on the next agenda as an action item. Then the employee could select open/closed session to have a discussion about the Council member or it could even be the Clerk because she is a member of the Council. Right now if you really look at the way your manual is structured, if an employee actually gets disciplined then there is a grievance process to challenge that discipline but it doesn't deal with the potential for other issues. Prestonise and that's why I say the grievance procedure is something else. Gormley I don't think I would term is grievance. I think the concept of what Brunell was going after was right but, I don't think I would term it grievance. A normal grievance is your being disciplined for something and you're contesting that discipline. Prestonise said, I guess sometimes I did get into that. Gromley said that's the nature of your background. Brunell asked if Prestonise would like Gormley to investigate further. Prestonise replied, no what I would like is to have the Council sit down and tweak it as a Council. Brunell responded that they had the opportunity last month when they were presented with the draft. Prestonise said but that was a completely different draft. I think this is what we voted on and we should keep it. I think we just need to tweak it. I think Root did an excellent job when he wrote it. Now we have issues come up and I think in the back it says that we can modify it if issues come up. Gormley said, if you want to change or modify it, you must consider it at the first meeting and approve it at the second. Brunell asked if we table this further. Prestonise said if we are going to have a meeting....I don't know you tell us. Brunell said it's what Council wants to do, I don't make the decisions. Prestonise said, well.... Gormley asked if he could make a suggestion; you could appoint a committee to work on the changes and I could meet with them to help with the changes. Prestonise said, Root put a lot of work into this and the unfortunate thing is we voted to accept it and then it just got thrown someplace and nobody ever looked at it. Gormley asked, do you have

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signed sheets where all your employees received a copy of it. Prestonise answered; now we do. It never came up until they were looking for a clerk. Brunell said, actually when that was adopted, correct me if I am wrong Root, everyone received a copy and signed for it and were supposed to read it. Root replied yes. Prestonise said and that's as far as it went. We basically never used it after that and it just got lost in the files or paper work. Gormley asked how long ago was it adopted. Brunell responded 2009. Root said it should say in the back when it was adopted. Gormley said ok I just don't have my copy if front of me. Miller said I will make a motion that we appoint a committee that will come up with a policy to address the concerns of the employees of the Village of Byron and the committee shall be appointed by the President. Brunell asked for a second and Berez replied I will support the motion. Brunell motion by Miller seconded by Berez to appoint a committee to review the handbook and revise if necessary, Miller is that the general motion and Miller replied yes and Gormley you did say you would help. Gormley replied yes and the President would appoint the committee. Brunell motion on the table by Miller and seconded by Berez All in favor say aye. Voice Vote-All Ayes: Miller, Bessenbacher, Prestonise, Berez, Orr, and Brunell; Passed. Brunell then appointed Miller and Berez for the handbook committee and said I figured I would offer it to the ones who made the motion first. D) Brunell said we are up to rules and procedures. Last month I brought up copies of rules and procedures and did make the corrections on page 6 in regards to meetings and the back page in regards to contacts for the attorney. I forgot to run copies off but you already had a copy. How would you like to proceed on rules and procedures? Do we want to move to accept or do we want to move to kill, we tabled it last month to make the changes and the changes were made and I emailed a copy to the clerk today. Bessenbacher asked so we don't have a copy yet. Brunell said it is the same except with the changes. Orr and Bessenbacher said they wanted to see the changes. Brunell said can I have a motion to table it until you get a copy. Berez motioned to table rules and procedures until copies can be distributed. Bessenbacher seconded the motion. Brunell repeated the motion and asked for a vote. Voice Vote-All Ayes: Miller, Bessenbacher, Prestonise, Berez, Orr, and Brunell; Passed. Gormley said it is important for you to have rules and I would get something passed at the next meeting. Brunell said the next thing on the agenda is office hours and that will be answered in the resolution in New Business. F) Brunell next is Letter F pay ordinance, go ahead Prestonise. Prestonise asked in that pay ordinance and was reading it, I left mine at home and Gormley said I have a copy if you need to read it. Prestonise said it didn't seem like that was what we wanted. It says that like this week, February 9, we won't get paid until the first pay period in March. Gormley said after March meeting because you have to vote on pays for February. Normally what you guys do is collect all your bills for the month of February and you vote on them at the first meeting in March. So, that includes all your pay and then when the next pay comes out, when they pay all the employees, they pay your checks. If I did it different than what you wanted, I wasn't trying to do that, I was trying to make something that made sense. All your January payables will be paid the regular pay after this meeting. February will be paid the first regular pay after March meeting. Prestonise asked if that was how it had to be in the law. Gormley said no, you can do it any way you want; I was just trying to come up with a procedure. I think you were having some trouble of when you get paid and when you don't get paid. I was just trying to come up with standardization and what has to be in law is the amount you're going to be paid, which the ordinance does. The process on how you want her to do it, you can vote on a special pay and approve it, and then she will cut the checks tomorrow. Prestonise said I don't think it would be a special check, let's say tonight, after tonight, if she cut the checks next pay period because I think she going to do it for the police, DPW, or whoever. Gormley said I think that's what it says for last month, it won't include the meeting you're at tonight and that's the only difference. Prestonise asked for tonight's meeting we won't get paid and Gormley said tonight's meeting will get paid the first payroll after your March meeting. Tykoski said part of the reason

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we did it that way was; as an example you will have another meeting this month so, you will get paid for all of February's meetings. Prestonise said yes but, that said trustees will get paid first pay after the meeting. Tykoski responded that creates the problem of cutting you guy's two checks a month if you have a special meeting. Prestonise said I don't think it is any more burden to cut two checks. Tykoski responded it's not and the new ordinance did not change the frequency in which you get paid, it just bumped it back a week or two. Gormley said the only problem paying for tonight's meeting; don't you get a packet with all your payables in it. For example you didn't know that Cole wasn't going to be here tonight so, if she does all the additions and does a pay for Cole it's going to throw all your numbers off for your approval at the meeting. It could all be adjusted by hand here at the meeting but, that's why you usually pay one meeting back. If you guys want to do it we can adjust the ordinance or whatever you want to do, I was just trying to make the process...Brunell said I think it just jumped this past month because the ordinance had to be published and had to wait the days after the publishing so, that's why it threw things out of kilter this month because we had to wait for the publishing date after you approved it. Berecz said the way you do the bills, payroll is basically the same thing. We're like a vendor and we provided a service by being on the Council but, all the other bills have to wait till the following month to be approved. So, one pay behind; if you work for a manufacturer they hold two weeks and they had to do the work. So, by everyone doing their job they get paid the following pay period and by the end of the year you've got an extra one coming. Tykoski said the pay period is once a month; February 1 thru the 28<sup>th</sup> and it basically got bumped back a week. Brunell said the ordinance stated that when it was approved and nothing has been changed since it was approved. Gormley said you can always modify it....any way you guys want to do it. Brunell said you're still getting paid just once a month. Berecz said we are still using the approval process like all the other bills and we come under the same thing. Prestonise said why do we only get paid once a month, that's how we do it now. Brunell said generally you only have one meeting per month and over the summer, we two, three or four meetings. Prestonise said maybe I am wrong but, it doesn't seem that it creates any more if the ordinance read you'll get paid the first pay period after the meeting because you're already writing checks out for others. Reed said if there are more meetings per month it does create more. Prestonise asked why. Reed said I have special sheet I have to fill out for each pay period; for your pay, whether it's DPW or what I have breakout sheets that I have to do for each one. So, it does create a different cycle for each one. Brunell said if I remember correctly, since I've sat on Council, for example take January's meeting, the next month in my packet was the check for January's meeting. So, it is still pretty much working that way. Gormley said I thought everyone should vote on paying themselves before getting a check. If someone said I don't think Prestonise was at that meeting, it creates a challenge, we need checks and balance. The way you're talking the check gets issued before you even voted on paying yourself. I ran into a problem in one Village where the clerk was ahead two month ahead when they discovered it. At one point she was even a month behind because there was no standardized process in which to pay. Prestonis said so we will go a month and a half and Tykoski said no because next payroll period you guys will get a check because of the special meeting in January, isn't that how it works? Reed responded no because we had to carry that over to February and that won't get paid until the first pay after the March meeting. Prestonise said if we had any meeting in January we were to get paid for it. Reed said you did get paid for it January 30<sup>th</sup> and we had to close January out so, it carried the meeting, which had not happened yet, till the next month. I could not pay you for something that hadn't occurred yet. How would I know who was going to be at the meeting before it happened. Prestonise said I understand but, according to the ordinance, the exception said we would get paid for December's and January's meetings. Reed said right. Prestonise said I don't know when our last meeting was, when was the last meeting? Reed said you had the workshop on January 31<sup>st</sup> and the check for January had been cut

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already. Prestonise said I understand that but, we shouldn't have to wait until when. Reed replied that was part of February and that is what Gormley and I discussed. Brunell said the meeting wasn't until the last day of the month and she didn't come in until the previous Monday and I think payroll was run the week after that. Reed said yes. Brunell said that's why it happened that way, there was no way she could cut you a check yet for that meeting. Gormley said that was an anomaly and going forward it will straighten itself out. Berecz said in the past we only got paid once a year and they kept track of the meetings attended. Brunell asked if we amend the ordinance will it have to go through another publishing process. Gormley answered yes and we could bring a draft back on the 25<sup>th</sup> that would be as soon as we could do it. C Granger said you would be starting all over again. Brunell asked if they want to leave it or do you want to amend it and go through the process again. Berecz asked if something comes up can it still be changed and Gormley responded you can always change an ordinance. Reed and Tykoski said it really only changes it a week from what is was before. Brunell asked leave it the way it is and Prestonise responded I guess, I still think it's wrong. Gormley said if we want it changed, by the next couple of meetings, he would tweak it for nothing. You would still have to publish in the paper. Brunell said that we are leaving it as is for now.

New Business A) Resolution: Gormley dealing with a number of issues and this resolution should take care of them. Pay for Clerk, office hours; when open to the public, time cards-hand written cards (see #3 in the resolution for example) and if damaged property, either Public or Private must be submitted in writing. Miller asked about the Treasurers hours and Prestonise responded that Treasurers hours go back to 10 hours per week in March. Gormley said you will have to let me know which way you want to go on the Treasurer's hours. If you want the hours to be from 10 until 4 December thru March and 10 until 3 from April thru November. Prestonise said they hired Tykoski at 10 hours per week and for whatever is going on put her up to 12 until March. Brunell said that we found the original paper work from when Bessenbacher did the interview and it does say treasurer 10 to 15 hours and clerk 20 to 24 hours per week and this is what was talked about during the interviews. She is filling those hours trust me. We are trying to canvas surrounding areas to see what their clerk and treasurer put in. Gormley said if you pass this it would supersede the motion and that would be their hours until they were changed. A resolution does not have to be published and a lot easier to change. He also added that there are some changes that were done and added and I emailed the wrong copy. Prestonise said I guess just my thoughts on this resolution; we should have a committee because it says that it supersedes the handbook. Gormley said this was a way to update the handbook without retyping the whole handbook. The committee would have to take this and add it to the handbook, as well as, the part about the employees. I am sure there are other things that need to be cleared up. Brunell said at the workshop and previous meetings there was a question on who determined what the hours were and they weren't clear in the handbook. The only hours in there was for the DPW so, this would be the Council, approving as a whole, what the hours would be. Prestonise said well now it comes to council. Previously you just said these are the hours. Brunell said we had to get people in there and we could debate this forever. Prestonise said it's wrong just wrong. Brunell said this is to fix that so we don't have to keep debating it. We have to start somewhere. Prestonise said I understand that. Brunell said we will add this to the February 25<sup>th</sup> meeting. Prestonise asked will everybody be here because at the DDA meeting it was debated for 10 or 15 minutes. Brunell said I hope so because we need to take care of the budget. B) Budget Hearing Date: Hearing date set for February 25, 2015 at 7pm. Motion by Brunell to approve Budget Hearing Date on February 25, 2015 at 7pm; seconded by Miller. Roll Call-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; 1 Absent- Passed. C) Office Access Village President: Gormley said if we go back a couple of meetings, office access was given only to the Clerk and Treasurer.

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Statute says that the Village President is the supervisor authority over the buildings and grounds of the Village and access is needed to oversee if you can't get in the Village hall. Bessenbacher asked if that means no key to the filing cabinet. Tykoski responded correct, the keys are locked up in a lock box. Burnell said the key to the filing cabinet and any employee files are all locked up and only the two of them have access to them. Reed said there is a door that locks also. Brunell said just to give my personal opinion on this; I am not going to work from my home on Village stuff. My home is my home. It has become an increasing problem to work on Village issues when I can't come in the office all of the items I am working on should be down here, not part here and part at my home. There are some letters the Council wants me to write and I am not going to write them on my home computer because then my home computer becomes public record and can be taken. I am not doing it, it is going to be done down here. The amount I am making for working for the Village comes out to be about 20 cents per hour. Berecz asked if we had to amend the motion or do a new motion. Gormley replied you can do a new motion which amends the old motion. Here is the language I was looking for in MCL 64.1 and read the paragraph. So, if you want to adjust it you would adjust it by a motion. Berecz said I will make a motion to allow access of the President to the Clerk's office with a key and I also think in an emergency situation that President Pro-Tem should have access in Presidents absence. He wouldn't have reason to use it unless you were gone. Miller seconded it. Roll Call-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; Passed. Reed said she would have keys ready on Tuesday. D) FOIA Webinar for Clerk: Brunell explained that there is going to be changes to the FOIA process and the webinar on February 18<sup>th</sup>, which last for 1 hour, and Reed can watch on her computer. The cost is \$20.00 and the changes will be coming this summer. I am asking for a motion that Reed purchase this webinar, a onetime thing, for \$20.00 on February 18<sup>th</sup>. Bessenbacher said I will make the motion for the FOIA webinar on February 18<sup>th</sup> for \$20.00 that Reed will watch; seconded by Miller. Roll Call-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; passed. E) March meeting Rescheduled for 1<sup>st</sup> Monday: Brunell explained that she had to go out of town to take care of some estate issues concerning her mom and would like to change the meeting to the 1<sup>st</sup> Monday at 7pm. Bessenbacher asked don't we just replace it with the President Pro-Tem if you aren't available. Brunell said not necessarily we haven't voted to accept the 2015 meeting dates. Gormley said we should probably vote on the 2015 meeting dates and Brunell said this meeting still falls under the 2014 dates. Brunell asked if it was a problem for anyone to come that day and Bessenbacher said she had to work that day. Why can't we just make a motion for the President Pro-Tem to run that meeting? Brunell said you don't have to make a motion. Ok we will take care of this on the 25<sup>th</sup> then. F) FOIA Resolution: Gormley said he asked for documents/rule and procedures for FOIA and she could not find anything. The whole thing is changing in July and we are going to have to tweak it but, this simply says that Reed is the FOIA Coordinator and what you will charge for FOIA request with all the break downs. This probably something you may want to add to your handbook. Brunell asked if this is something we need to move on today and Gromley said yes. Prestonise said when you said we don't video tape, we do record right. So, how do they do that on a FOIA? Gormley said it is a public record and you can have it copied or produced or they could listen to it. Bessenbacher asked didn't we say we were going to get a recorder and Gromley replied we are using one now. Miller makes a motion to adopt FOIA Resolution as written; Orr seconded. Prestonise said this says public inspection, if a trustee wants to request something do we go through this? Gormley said if a trustee wants to look at something they don't need to go through the FOIA process. Roll Call-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; passed.

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Approval of Expenditures: Motion to approve to approve bills as presented by Berecz, seconded by Miller. Berecz said he had a question on 23860, 23918, both are identical payments and both are to the same supplier, why? Brunell asked if the 23860 was for \$373.74 and Berecz responded yes. Brunell asked if 23918 was also \$373.74, did we duplicate a payment by accident. Berecz asked if Reed and Tykoski would like to see them. Reed said yes. What must have happened is, I paid one and they must have sent another invoice and Tykoski didn't know it was paid. Tykoski said we must have received two invoices. Reed said Granger gave us the invoice and we paid off of that and then received one in the mail and paid that. Brunell asked if one was sent to the DPW address. Reed and Tykoski answered no, they way one was folded, with Granger's hand writing on it, came from him. Where the other came in the mail and has the envelope showing it came to our office. So, we will contact the company tomorrow and get the one check back. Brunell asked do we not want to approve those two checks and Tykoski said one is a real bill. Reed said the one I sent out on the 15<sup>th</sup> was an actual bill we received in the mail and we didn't realize we were getting a copy of the same invoice. Brunell said; my question is, is one invoice going to Granger and one coming to this office. Reed said apparently that is what they are doing, because this is the first time it has happened. Brunell said I would contact that company and tell them all invoicing should come through here. Reed responded right, that's what I will do and ask them to return the check. Berecz said I have another one, 23921 to Staples, why are we paying a late fee. Reed said there should be notes on one stating that I called to reverse those late fees. Bessenbacher said one bill shows a \$29.00 late fee and Tykoski responded that they were all credited. Reed said they do their crediting different, when they tell me they are going to credit it, it doesn't get credited until the next billing cycle. We have been on the phone with Staples and this one was credited. Then there was a question about the \$2.00 that should have been credited and I called and they will reverse that the next cycle. They got the payment the day it was due. Orr said that businesses give 60 or 90 days and this invoice should not have been paid. Tykoski said that's not the case with some of our vendors. I have called and about late fees, I have asked for extended terms because we are a municipality and not all of our vendors will do that. Reed said this happens to be a net 10. Orr said I probably wouldn't do business with them. Reed said apparently this is the only place he can get the parts he needs. Orr said must businesses like that automatically give 60 days because they know they can't act on them until they have been approved, just like a school. Tykoski said I agree but, there are certain vendors in which that is not the case and they charge late fees. I have tried to talk to them and explained we are a municipality and need more leeway and they said absolutely not. Berecz said if you call the vendors and explain our procedure they should give you 60 days, eliminating the late fees. Tykoski said for example our credit card that we use; they are not lenient what so ever. We were late on it one month and I called to see if we could change the terms on it and they said no because it is a business card and they don't make exceptions. Gormley said must don't pay their bills, unless they are going to incur a late fee, until after the council has voted on them. Same reason you don't pay yourself until approved. They just have to pay those kinds of invoices, the rest sit on until approved. Tykoski said like AT&T if we are late with them the charge a late fee and do not care that we are a municipality. Reed said Consumers is the same thing, if it's late they disconnect. Brunell we have a motion on the table, is there any more discussion. Prestonise said yeah down here on the Durand, the City of Durand, what is it. Tykoski said it 23913 and it is water samples and they do it about twice a year. Reed said we checked it out, because we were concerned about it. They come out every six months and take water samples to analyze. They act as an independent for the water studies. We have also asked them to update the records of contacts. Brunell said ok anything else and Prestonise said yeah, 23914 Consumers Energy, 111 Washington St. Tykoski explained that it is for multiple accounts and if you look at the stub it tells you the breakdowns. Prestonise asked what they do on Washington. Tykoski answered we have a couple different pump

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stations, the well house, and if you look at the invoices it explains what they are for. Reed said that both Tykoski and myself had been talking about the checks having 2 stubs and if we detached the top stub, would that make a d myself and ifferece instead of making a copy of the check. It still has all the information needed. Brunell said it would cut down on copies and it would have all the necessary information. Berecz asked if it would still have the invoice and Tykoski replied yes, the only difference is the stub and not the copy. Prestonise said what about Ace Hardware, we don't know what was bought. Tykoski said it is on the actual invoice. Prestonise said it is too hard for us to go through that file during the meeting. Brunell said that was what I was going to bring up, that is available if you want to come in during the day. When was that ready and Tykoski said it was ready on Wednesday. Brunell said you can come in and get the file, sit down and look it over. Reed said if you want to come in next week and look at it we will pull the file. It's not a problem. Brunell stated the motion again and roll call was done. Roll Call-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; passed.

Council Comments Brunell asked if Miller had any comments, he said no. Then she asked Prestonise and he said yes. Prestonise I guess the first thing is when I picked up the Independent that article in there and Brunell said I agree and it did not come through me. I was asked to make a comment and I made my comment. I did not initiate that article. Prestonise said than it was slander because the whole article looks like you wrote it. Brunell said I had nothing to do with it. C Granger said that she sent the recording of the meeting to the Independent. The information is open to the public so there is your answer. Brunell said she was contacted and was annoyed that her personal number had been given out. I was asked a question about the deli and all I said was I hope Village business is not being discussed. Prestonise said we have been accused of holding meetings down there. Brunell said I have been accused of a lot of things this week also. Prestonise said and I don't care if anybody, I don't care if there is a quorum down there as long as we don't discuss business we can go to the coffee shop for coffee. Burnell said that she agreed a hundred percent. It all comes down to if you make a statement, even on your computer, it becomes public record. I totally agree with you, we are a small town, we have one place to have coffee and I cannot guarantee that Miller, Bessenbacher, Orr, or Reed and I aren't going to walk in the coffee shop at the same time as long as we don't discuss business... Bessenbacher said it shouldn't matter. Brunell said it's not a problem and I have always stood by it. Bessenbacher said what was in the paper I would tell that cop to his face so, if someone thinks they got one over on me they didn't. Gromley said it explains how they got the quotes because they had a tape of the meeting. Prestonise said it's getting a little ridiculous when I walk out of Orr's house someone is taking pictures. Brunell said let them take the picture, why don't you take one back. Prestonise said I have been going to Orr's house since 1955 and I will continue doing it. Gormley said you can go anywhere you want you just can't talk about the meeting before hand in any way or method. Bessenbacher said we know that. Reed said just an FYI I am coming in tomorrow, punching in and then driving down to Blackmore Rowe to pick up my packages. It is still Village business because the UPS guy and I can't connect so I have him deliver there. Prestonise said another thing a week or so ago I saw the buses having trouble going up the hill and we should have sand there. Brunell said Alderman told her. Prestonise said they don't have sand. One thing and I have asked this can we order the MML books, can we get an updated copy. Brunell said if you go on MML those are not available at this time to order because they are updating them. You can't even click on the site and open it. Reed replied that's correct and they don't even have the older one available. Brunell said as soon as it is available we will get updated copies. Prestonise said your answer about the paper is that you didn't have much to do with it. Brunell said I did not initiate that but, they have the right to contact me. Bessenbacher said right. But we as a council should not lower ourselves to put something like that in the paper. If other people want to that's their business but, we do not lower



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ourselves to respond to that. Brunell said if someone asks if I said something I am going to clear it up. Bessenbacher said of course but I am not going to lower myself to respond to something that low when we are trying to rebuild this town. Brunell said maybe you should clear it up with the Independent that it was a recording and Bessenbacher said that kind of stuff does not bother me. Berecz said I think a recording would be like an editorial and you need to put your name on it. How do they know it was the real recording? It could have been a bunch of people in a room talking and if the source won't step up it shouldn't be printed. Bessenbacher asked C Granger what was her reason. C Granger said I just sent the recording so everyone knows what goes on in these meetings because they won't come because of you guys. I mean listen to your comments a couple of minutes ago. Brunell said order please. I do agree that whoever was quoted should have been contacted to verify it. Bessenbacher said I agree. Prestonise said and another thing did we buy that new tape recorder. Tykoski said the Village did. Prestonise asked what did that cost us. Reed responded it was \$50.00 because we needed one with the memory card and cord so it could be down loaded to the computer. That was the cheapest one; the next one cost \$129.99. Prestonise said another thing I asked 2 or 3 meetings ago when we gave the chairs away, the metal ones in the back room. Brunell said I think I answered that; there was one chair that didn't have a destination on to whom it belong to. The chairs had Byron Schools stamped on them; there was a couple from some church and before I gave them back to the school, I went through every chair to make sure they weren't ours. We did not purchase them. Prestonise asked did they go back to the school or church. Brunell said they went back to the school. Prestonise asked why would you give the school the church chairs and Brunell said we could not find the church. Orr asked why we had school chairs to begin with. Brunell said I don't know it was before my time. Prestonise said when I first asked about the chairs I was told there was a motion to get rid of them and I can't find it. Brunell said there was a motion, I am sorry; it was to donate the tables and I thought it was about chairs also. Prestonise said it wasn't about chairs. Brunell said your question was...Berecz asked why the table and Brunell said she did not know it was under Musall. Brunell then asked if any other council members had comments and they said no. Brunell said she had a couple of things at the workshop I passed around that elected officials academy and I wanted to let you know that I was awarded the Tim Doyle scholarship so I will attend it free of charge. I will bring back the material I am given and pass it along to you. I assume the reason Vandemark is here is because at the DDA meeting the school is participating in a program with the DEQ and Michigan State University to test the water and the DDA approved to send this letter of reference to the sponsors showing support and Alderman asked if we could also send a support letter. A good point, I was told that our part of the river was the cleanest. They would like us to send this letter and we would probably need a motion to do it. It does not support anyone else just the school. Prestonise said I think what it is they take a group of kids down to the river and they pick up...they aren't going to sample the water because they'll find out it is so polluted. Brunell said would you like to send the reference letter on behalf of the Village of Byron. Prestonise ask if it was because they are trying to get some kind of grant. Brunell answered yes. Prestonise motioned to send a letter of support and Miller seconded. Voice Vote-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; passed. Brunell said that we had talked , a couple of meetings back, about getting an updated copy of Robert's Rule and it would cost under \$20.00 do you want to purchase it. Berecz asked if we approached the FFA the may have a copy. Brunell asked Reed to check into it. Reed said if I can get him to reply because the last time I called him he never called me back. Bessenbacher asked Tate Forbush and Reed said yes. Bessenbacher said try Denise Markley. Brunell said something that may come up in next month's bills; we received a bill for the Independent for \$276.56 what it entails is December 8<sup>th</sup> council minutes, the ordinance, the synopsis. On October 21<sup>st</sup> special council meeting it was moved and passed to post the minutes in the paper so they wouldn't have to post them anywhere else and in the next agenda item was to buy the

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display case so they could be posted out there. The breakdown of the regular council meeting they charge \$52.00 to put it in the paper. If you want to continue publishing in the paper versus putting on the board in 3 places...this is a lot of money per month or do we want to use the new board. Berecz asked where do we post them now. Reed answered the web site and out front and I can post them at the post office. Prestonise said I don't think the web site can be counted. Reed said I have already checked into it and the web site is considered a public domain and the only way they could not access it is if they don't have a computer. Brunell said we did contact the Argus Press and they quoted us a \$32.00 and \$40.00 estimate. This something we need to know so we can budget for it. Berecz motioned that we not use the newspaper for regular minutes unless it is something that needs to be published. We can post the regular minutes in 3 public places; seconded by Miller. Prestonise asked how long after meeting for minutes is 15 days and approved by the President. Voice Vote-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; passed. Brunell said that the budget sheet will be included in your packet because we blew it on the police budget for training.

Public Comments Christina Granger asked if FOIA request was ready that was asked for 15 days ago and Brunell responded yes it is ready. C Granger asked why is it ok to wait till 10pm to receive it. Brunell said I am in class until 4:30 and she had some things that needed my approval and I was talking to Gormley. I did not know she had it ready at 2 or 2:30 and she was operating under my advisement until I could approve it. C Granger explained the FOIA Law and then asked if she could pick up her stuff.

Meeting adjourned at : 9:35pm Motion to adjourn at 9:35 pm by Miller and seconded by Prestonise. Voice Vote-All Ayes: Miller, Bessenbacher, Prestonise, Berecz, Orr, and Brunell; passed.



Marsha Reed, Clerk



Date



Kit Brunell, President