

Village of Byron
Regular Council Meeting Minutes
July 11, 2016

Meeting called to order at: 7:00 pm by President Brunell

Pledge of Allegiance Led By: President Brunell

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

Approval of Agenda: Cole motioned to approve the agenda as written; seconded by Miller. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

Approval of Minutes: Berecz motioned to approve the Regular Meeting Minutes for June 13, 2016 as written; seconded by Miller. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

Miller motioned to approve June 28, 2016 Special Meeting with the addition of (per tape) or until this council or next council can review (this is in regards to Boatright motion) and the addition of State Department Investigation in council comments (see attached sheet); seconded by Bessenbacher. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

Public Comments – Agenda Items: S. Miller said if we can only say something when the meeting starts makes it difficult because if you want to make a comment on something that council has decided on you do not have the option. Brunell explained that some other people wanted it on the bottom and you have the opportunity to comment at the end as well.

Treasurers Report – Ketchum read report. Report to stand pending audit. She also explained new GL numbers for permits and reports that were filed.

Approval of Bills –Berecz said that they were not done with the checks and the motion was for the blue folder, he withdrew the motion and will go back to the bills when completed. Cole motioned to approve the bills with check numbers 24592-24605 and 24608, 24612-24626 totaling \$17,334.50; seconded by Berecz. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise, Cole and Brunell. No Nays - Passed.

Bills Awaiting Approval – Berecz motioned to pay bills (blue folder) in the amount of \$670.77 with 3 bills; seconded by Cole. Prestonise asked what we were paying and Berecz read the bills in the motion. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise, Cole and Brunell. No Nays - Passed.

President's Communications: Brunell said she asked the VFW here tonight and Vandemark is here. We have new American Flags in the Village because the old ones were tattered and faded. They needed to be replaced and the DDA brought it up at their meeting to replace the flags. The VFW also offered to cover half the cost of the flags with the DDA. The VFW also requested that the old flags be disposed of properly and I would like to make a motion that we donate the old flags, there is 12 of them, to the VFW and to publicly thank them; seconded by Cole. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed. We were alerted that the light for the flag is out again and Bretzlaff replaced the socket. I think a solar light would be the best way to go. I did go on-line and

CORRECTIONS FOR 6/28/2016 SPECIAL MEETING

Brunell said as soon as we find out what the deal is I'll share their findings. Bessenbacher said we already know what the deal is. Brunell said OK good. I don't like being put in the middle of something I had nothing to do with. Reed was put in the middle of it. Bessenbacher said we know you guys did it so, it ain't no big deal. Brunell said anything you say Vicki.

Bessenbacher said I know for a fact. Brunell said I think this needs to stop, I really do. Why would someone on this council want to discourage business coming into this town? Why would someone want to discourage business coming into this town.

Bessenbacher said Kit, because that's what you do. So, that's all I got to say. I think it is ridiculous for someone to have to write a letter or write a note to someone because they've been put involved in the situation. I can't wait to find out the findings.

Bessenbacher said I can't either. Brunell said I can't.

Bessenbacher said I already know so you don't have to worry about that. Brunell said Well, good. Then I don't know how someone gets my telephones to make calls to the department of Treasury.

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pulled up a couple of estimates on what it would cost to go with solar. We don't have to move on this tonight unless you want to. The first estimate was \$65.75 (details on light given) and the second was \$19.97 (details on light given). I believe he has been taking it up and down each day. We need to decide what we want to do, we may need further research. Miller asked if we could table this till the end and Brunell said that's why I didn't put on the agenda. Received an email from Vandemark and DDA is working on a Safe Route to School Program and they need council members to sit on a committee with Vandemark, members from the school and people from the community so they can go for the Safe Routes to School Grant. I need to know who would like to do this. Vandemark explained that they were getting it organized now and Vandemark will let office know when first meeting scheduled. Brunell started talking Block 52 communication in regards to the Village lots and easement issue explaining that Gormley could go over it at next meeting. Orr said the flag has not been going up and down and should be half-mast for 4 days. Brunell asked Ketchum to cover with Bretzlaff tomorrow.

Personnel Committee – Brunell asked if any committees met last month and Berecz said no but, he has been in touch with Jacobs about the Verizon tower and still in engineering and as soon as possible she will let us know if we are still in the running or if they are going elsewhere. The site is clean, the best we can do. Talk about the flag and solar light continued with Orr saying it has been out for about 4 weeks.

Commissioner's Report – Root said started our week with meetings, today. River clean up and tires on July 30, 2016 from 8-12 and one site is Oakwood Bridge and the other is McCurdy Park. Today we got 4 acres on Geeck Rd. Park along river that's wooded with some wet lands. Finance about the same as every month. Filling some vacancies, some have left for other counties. Bill Archer new Veterans Affairs Counselor. Also, we are filling another full time position in the Veteran's Affairs office. Last month's surplus was \$800, 00.00 because of no road deputies. I was the only one to vote against bonus', which upset everyone. Operating mileage will be on there. August 2nd primary and I will be on the ballot. The weekend event was good with the cardboard boats.

DDA- B. Miller talked about the River Regatta with 11 boats entered and 3 sunk. Burns Township Fire Department was in the water assisting. 3 trophies were given for fastest time, most creative and most dramatic sinking. Good turnout. Maps for TIF zone close and boundaries verified. VFW post covering half of the cost of the new American Flags. Vandemark explained next fundraiser will be E. Jones flags and he will sign them and send back. The cost is \$100.00 each with proceeds to the DDA. Safe Routes to school and the committee will have people from DDA, council, school and parents. The grant will cover crosswalks at the 4 corners, street repairs and all sidewalks are in Safe Route so they would be covered. Won't be done before school starts and amount of grant is \$200,000.00 per school. An engineer will be involved at 20% matching. Miller announced golf outing for the Masons on the 30th. Parade and Fun Day went well.

Old Business: A) Waste Contract: Brunell explained that the waste removal was tabled and we need to move on this because the contract is up August 1, 2016 and we just need to know who we are going with. Cole said to stay with who we have had because they pick up everything and the other guy said would cost extra. Brunell said he is here. Granger spoke about bulk item pay and you pay for it as used. Cole asked how to verify who did it and Granger said we would hope that you would call or email us. We can check it on the on-board computer. He said prices are economical and will pick up same day. Berecz asked are we being billed by whom and Brunell said Village paying still. Granger said cost of \$10.57 per

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month regular container and \$9.53 for bags. Berecz said he much preferred his trash in container. Granger went into more depth on their proposal. Customers can go back and forth from cart and bag and once set up the changes will be minimal. Ayotte said carts are better because dogs and cats will get into bags and who will clean up. Brunell asked if you want extra cart how would you handle and Granger said it would be extra pick up charge. Brunell said we pay for cart only directly to Republic. Orr said I know people well enough that they will not call if they put a mattress out. More discussion on the Granger and Republic waste services and contracts. Miller motioned to keep Republic and keep it the way it is right now; seconded by Bessenbacher. Brunell asked if he was motioning to keep the contract for the next year and Miller said yes. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise, Cole and Brunell. No Nays - Passed.

B) Utility Bills: Brunell explained the resolution from last month and that we need to determine a date. She asked Ayotte if he brought a date and he responded with I think it was September 1, 2014. Brunell said that does sound about right, to present correct and Ayotte said yes. Brunell explained resolution to Johnson. Orr said we need to know who he talked to at the time to have it shut off. Brunell said right. She asked Ayotte who he thought he talked to and Ayotte said Mike. Brunell said because we haven't found anything saying it was turned off/on or requested. So, that's a moot point because we have no way to prove that. Cole said if it wasn't turned off it would have been a big flood. Brunell said so, at this point we need to accept the resolution with the time date and move forward with this billing and decide where we are going. Miller said I move to accept the resolution for Ayotte's water and sewer with the date of September 1, 2014; Berecz supported. Brunell voice the motion again. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise, Cole and Brunell. No Nays - Passed.

C) Durand Police: 1) Contract - Brunell explained that we broke down into 2 sections. One we need to decide whether or not we approve the contract as written and we have to make a disposition of the current Byron Officers employees to either take them from being suspended to their job positions as terminated. We can't have them in the loop. I read the contract and there is a lot that I am not understanding and my main question to the council is: where are we going to come up with the money to pay these charges? We have only budgeted \$20,000.00 as far as wages and everything else was for car maintenance and dues and things like that. What I am reading in the contract we would have to reimburse for the equipment from Durand and the cost of repairs. We do have the money budgeted for that situation. We are going from \$20,000.00 wages to \$30,000.00 wages and we need to figure that out. Also, for the emergency services and what I am understanding what that if for, if don't have an officer on patrol, the emergency call that come in Durand will be dispatched and that dispatch will be at \$40.00 per hour. I have also read something to the fact that if they are on duty here and an emergency comes in in Durand they will leave Byron to handle that emergency in Durand. Are we still paying them for being on patrol here? Where does that difference stop to where we know they aren't patrolling here and back in Durand patrolling there? The \$40.00 per hour is on page 3 number 6 under compensations and that's what I am really concerned with. We are already in a deficit and we will have to budget another \$10,000.00 for wages. Miller said the emergency calls are on page 2, paragraph 1 and read the paragraph of coverage and that emergency calls will be covered under the 20 hours. Brunell said correct, I am talking about over the 20 hours. Miller said it's covered all the time and Brunell said on page 3 under compensation it states and read the paragraph. More discussion on contract took place. Prestonise made reference to a paragraph that may be the one Amy said we put in there and they would have no problem taking it out. Berecz said it was something put in jointly by the lawyers. Berecz said he

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talked to Hartz and he had prior commitment. Bessenbacher asked why weren't in packet and Brunell explained she had to call Hartz to get what was in packet. Cole stated that part of the year has gone by and Johnson explained the difference with the 30/60 days opt out. More discussion to place on contract and Johnson explained some of the differences. Orr said I can't read and think with all the people talking. He motioned to table until next meeting; Miller supported and asked if possible to set up a meeting with Hartz to explain and Brunell said she thought was a good idea. Brunell asked if Berecz could set up something with the committee and Bessenbacher asked if he could come to the next meeting. Voice Vote: Ayes-Bessenbacher, Orr, Miller, Prestonise, Cole and Brunell; Nays: Berecz- Passed. Brunell said if you have any questions get them to Berecz.

2) Officer Disposition: Brunell said she has been contacted by some of them and want to go for other jobs and have hard time explained the suspension. Cole said one of the officers said they would like to be retired. Brunell said that she was asked about that and she told them they would have to send a letter to council about retiring and then council would move on it and I haven't received any letters. Orr said I would think anyone looking for a job would take any job and not worry about this one. Prestonise asked if we had all the equipment, the badges and Brunell said that was something I was going to discuss. Brunell said that Hartz assisted with getting Eller's gun and he said that he did not return his badge, ID or uniforms. He has been contacted many times from different people. Brunell explained the each contact and possible warrant (we needed to prove the gun belonged to Village). She suggested sending another letter for the other items and a time frame and if they were not returned we would obtain a warrant. Miller motioned to table the disposition of Byron Officer's employment until the next monthly meeting; seconded by Bessenbacher. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

D) BS&A/Cemetery: Brunell explained that she talked to Riley about doing or assisting someone and Bessenbacher said assisting is what she wants. Brunell said that she is way too busy and that she would have to contact BS&A because she hasn't used the system in 2 years. She did say she would come in and assist either Ketchum or Reed and she might be able to come in next month. Bessenbacher said we do have all the books right. Brunell said that we have the print out to go into the next part from the books Sharon has. Bessenbacher I thought Sharon's books were up here now. Brunell said she has to have them to do her job where she is at. Bessenbacher said she should be able to do her job up at the Village office like everyone else does. That needs to change to. Cole said a lot of time she has to do that after 9 or 10 at night and Bessenbacher and Orr said why, nobody buys cemetery plots at 9 or 10 at night. Cole said you would be surprised. Brunell said so, the question is are we going to compensate Riley and Cole said she wants \$15.00 per hour and Brunell said do you want to approve it now or when she has the time. Cole asked if Ketchum or Reed want to do it and Ketchum said I can't do it and Brunell said Reed doesn't want to do it. Cole said there are kids that are really good on computers at the school and maybe we should talk to some of them to see if interested. Brunell said Murphy-Alderman would have to be contacted and it may take until September. Vandemark said it could be sooner if student need honor hours. Brunell said we will reach out to Murphy-Alderman to see if she has any students.

New Business - A) Granger FOIA Payment: Brunell explained letter from Granger enclosed with his water bill asking where his money for his FOIA was. I talked to Gormley and he said pay it and be done with it. Bessenbacher said he wants us to pay him? Brunell said he wants us to pay him for his time and getting the information together. Bessenbacher said we all had to do it and I say no. Brunell said he not

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an employee of the Village anymore and I could understand if he was. Bessenbacher motioned no we don't pay it; Berecz supported. Brunell read motion again. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

B) New Zoning Map: Brunell explained that when Carlisle and Wortman did they should have done a zoning map and what they did was a future land use map. She explained the email to Carlisle and Wortman and recommend tabling until we have more information next month. Miller motioned to table zoning map until next month meeting; Bessenbacher seconded. More discussion took place on map. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

C) DDA Appointment – Dickinson as Vice-Chairman: Brunell explained that Vandemark told her Rauch sent letter saying that he was stepping down from DDA position do to time situations and the DDA would like the Village to approve Dickinson as Vice-Chairman for the remaining term. Bessenbacher made a motion to appoint Dickinson as Vice-Chairman for DDA and Johnson said we didn't need to do that. Bessenbacher withdrew her motion.

D) DPW Status: Brunell said that the council needs to figure out where we are going with this and Bessenbacher said post the position. Miller motioned to post position stating that a CDL required \$16.00 per hour and 20 to 30 hours per week; Bessenbacher seconded. Discussion where to post it and it was decided to post in the Independent one time (week) and state site. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise, Cole and Brunell. No Nays - Passed.

Any Other Business from Council /Comments: Miller said he got the water tower information from Reed and I am looking into the water tower with Dickson Engineering and will get with Reed. Prestonise said I guess our clerk's on vacation and Brunell said she requested that it not be discussed in a public meeting. I think the council should be aware of this stuff. There again we've been arguing for 6 months and we are violating resolution after resolution. Why do we spend on attorney fees to make resolutions when we say the h---with them? I don't care I think whatever but, we should stick to the resolution we vote on. Cole said a lot of people use the park and leave pizza boxes all over. People who have rented have called and said there is stuff all over. I have to go and verify that they clean up so they get deposit back and there is stuff all over again. There has to be something put to have people put their trash in the trash barrel. Then it needs to be picked up or dumped or something. The school is responsible for it and they don't do it. Berecz said I thought we covered that and we were going to pick up the barrels. Cole was this going to be done every day? Berecz said once a week just like in town. Cole said there's 4 barrels and stuff all over the ground. Berecz said not our responsibility and we at least do it once a week. Maybe the park board should do more. More discussion took place. Berecz said he would like to make a request as chairperson of personnel, that myself and the committee be allowed to go down to the DPW building to complete the audit before we get someone else in there. Bessenbacher asked if we had everything returned. Berecz asked if he needed to request a key here or how would you like to do that. We only want access to the DPW building; we don't want water shed or anything else. Brunell asked for suggestions. She said she will send email to Reed to issue key each time audit worked on. Brunell said she received estimate for fence from Bretzlaff and waiting on the other. It will probably be addressed next month.

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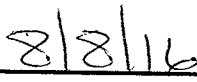
Public Comments: C. Mickelson talked about cars on Church Street drag racing on Saturday around noon. She said Brunell contacted authorities and that they are aware. B. Campbell talked about the Fun Day Parade and how he MC's the parade while playing music. He is being told he was violating the noise ordinance and he told the person he was not and could play music until 10pm. He was congratulated for the great job he does.

Items For Next Agenda: BS&A cemetery training/cost, Durand Police contract, DPW and disposition of officers, flag light and zoning map.

Meeting adjourned at: Motion to adjourn at 8:51 pm by Miller; seconded by Berez. Voice Vote: Ayes- Prestonise, Bessenbacher, Miller, Orr, Berez, Cole and Brunell. No nays-passed.



Marsha Reed, Clerk



Date



Kit Brunell, President