

Village of Byron  
Regular Council Meeting Minutes  
November 9, 2015, 2015

**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, Cole, Orr, and Brunell  
Others Present: Jeremy Root, John Gormley and others.

**Approval of Agenda:** Brunell, Prestonise and Miller amended the agenda to add E Street drain to Letter B, Letter E- Permits, Letter F-File Folders and G- Fire Hydrants. Miller motioned to approve the amended agenda; seconded by Bessenbacher. Voice Vote: Ayes-Bessenbacher, Cole, Berecz, Orr, Miller, Prestonise and Brunell; No Nays - Passed.

**Approval of Minutes:** Miller motioned to approve the October 12, 2015 minutes as written; seconded by Cole. Voice Vote: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.

**Call To Audience – Agenda Items:** P Morse asked if legal to charge for trash if under contract.

**President’s Communications:** Brunell brought up the Audit letter and had Gormley explain that it is required. Brunell also brought up letter regarding the issue. She explained the MIOSHA complaint and that she checked into it and informed council that they are not allowed to perform any Village work. Prestonise asked questions about complaint and stated they were on private property and looked into a drain. Gormley read complaint number. Brunell had Gormley explain alcohol related event and the employee needs letter. Miller motioned to hold a special meeting for disciplinary action regarding employee on November 24, 2015 at 7:00 pm, seconded by Prestonise. Voice Vote: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.

**Treasurers Report** – Ketchum read the treasurers report. Report to stand pending audit.

**HES Report** – Brunell explained Lead and Copper Report; accepted as presented

**DPW** – No Report

**Building Report** – No Report

**Police** – Brunell explained the repair issue and the need for more estimates.

**Streets/Grounds** – Miller gave report of what was discussed and fire hydrants will be discussed under letter G.

**Finance/Budget** – No Report

**Zoning/Planning** – No Report

Village of Byron  
Regular Council Meeting Minutes  
November 9, 2015, 2015

**Personnel** – Brunell turned the floor over to Berecz. Berecz explained what was discussed and the parking curbs and drain will be addressed in letter B. Brunell explained that Bretzloff has been doing DPW work that started with dam emergency and a motion was made by Miller to approve Bretzloff as one of the DPW part time employee, Bessenbacher seconded. Voice Vote: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.

**Commissioner's Report** – Root said budget adopted and 911 operating fund running out of money. Possible vote to approve additional mills.

**DDA-** Vandemark gave summary of meeting and that meetings will now be third Thursday of month. He also explained sign for Eric Jones. Josh Russell gave presentation of the work he does and that there would be no charge for the Village if we do a sign, benches or other.

**Approval of Bills** –Cole motioned for approval of checks 24262-24323 and EFT 43 totaling \$24,286.02; Berecz seconded. Cole questioned check 24263 and Reed explained it was the balance of Granger's vacation pay. Prestonise and Bessenbacher asked questions and both Reed and Ketchum explained. Roll Call: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, and Brunell. Nays: Prestonise; Passed. DEQ invoice was presented in the amount of \$748.30 and Cole motioned to pay invoice, Miller seconded. Roll Call: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.

**Old Business: A) Building Inspector:** Gormley explained the building, electrical, mechanical, plumbing, and international property maintenance code ordinance and the penalties for violations of Village ordinance. Bessenbacher, Prestonise and others asked questions. Miller motioned to adopt the code ordinance, Bessenbacher seconded. Roll Call: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, and Brunell. Nays: Prestonise; Passed. Miller motioned to adopt the violations ordinance, Berecz seconded. Roll Call: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed. At this time a 5 minute break was motioned for by Brunell and seconded by Miller. Voice Vote: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed. Meeting called back to order at 8:35pm Gormley then explained the fees resolution and why we need it. Berecz motioned to adopt the Resolution Establishing Building, Electric, Plumbing, Mechanical and Property Maintenance Permit and Inspection Fees resolution, Miller seconded. Voice Vote: Ayes- Orr, Berecz, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed. Prestonise asked questions.

**B) Trash Collection:** Brunell explained contract time and Gormley explained that we can charge residents for contracted services. He also explained user fees and how the Village can establish regulations. Gormley will draft an ordinance. Miller said can we start this when the contract is up.

**C) DPW:** This was addressed under Personnel Matters.

**New Business: A) Dan Christopher:** Brunell explained that he attempted to attend zoning and planning meeting and no one was here and that is why he is here tonight. Christopher explained that he wants to purchase building and open a business; he needs to know the steps needed to get everything in place. Gormley suggested soil testing and that he should have an attorney. Brunell asked Planning and Zoning to follow up with Christopher.

Village of Byron  
Regular Council Meeting Minutes  
November 9, 2015, 2015

**B) Parking Curbs and Drain:** Brunell explained both of the estimates on the parking curbs and drain ring. Berez and Cole explained that they would have to be painted and picked up. Miller motioned to purchase 5 parking curbs with pins to be placed on Saginaw Street in front of the Valero gas station to eliminate the traffic problem of crossing the public sidewalk, at \$56.00 each totaling \$280.00, Bessenbacher seconded. Roll Call: Ayes- Orr, Berez, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed. Gormley suggested painting the sidewalk. Brunell asked if anything else would be needed to repair the E street drain and Miller said no. Berez motioned to purchase the 6 inch adjusting ring at \$75.00 not to exceed \$79.50, Orr seconded. Voice Vote: Ayes- Orr, Berez, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.

**C) Consumers Power (Light Replacement):** Brunell explained that we need a motion for the clerk to sign the Consumers Power Light Replacement contract. Berez asked question about the maps. Reed explained the credit received. Miller motioned to allow the Village clerk to sign the Consumers Power Authorization covering the replacement and conversion of street lights. Voice Vote: Ayes- Orr, Berez, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.

**D) Chicken Ordinance:** Gormley explained the changes allowing residents to have chickens. Questioned asked by several council members. Miller motioned to adopt the Ordinance amending Byron Code of Ordinance IX, CH 90-Regarding Animals, Bessenbacher seconded. Roll Call: Ayes- Orr, Berez, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.

**E) Permits:** Brunell explained that one permit is for the DDA Christmas Parade and the other is for the Chamber's Christmas in the Village, both occurring on December 4, 2015. Both permits were passed with: Voice Vote: Ayes- Orr, Berez, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.

**F) File Folders:** Prestonise asked to have the council files moved back into the police garage and council member given the key to the police door. Both Brunell and Gormley explained the risk management issues and why the files were moved and maintaining the chain of custody. Comments made by other council members. Gormley suggested switching offices. Prestonise motioned to have the files moved to police garage and keys issued to council members, Bessenbacher seconded. Roll Call: Ayes- Orr, Miller, Bessenbacher, Prestonise. Nays: Berez, Cole and Brunell - Passed.

**G) Fire Hydrants:** Miller explained the need to have fire hydrants winterized and that Burns Township to do the service and made the motion for it to be done; seconded by Berez. Voice Vote: Ayes- Orr, Berez, Cole, Miller, Bessenbacher, Prestonise, and Brunell. No Nays - Passed.


**Any Other Business from Council /Comments** – No other business. Comments – Prestonise asked how officer was entering building. Berez why golf course water turn off and Brunell explained that Berez lost his key and asked if we needed to rekey or replace lock. Miller said to give him another key. Brunell talked about meeting with Honeywell in regards to energy cost for school and that she will investigate REU's further. Gormley suggested redoing all REU's and Bessenbacher said it was just done. Brunell said she was going to present settlement letter at school board meeting.

**Items For Next Agenda** – Brunell asked about items for next agenda and the reply was water ordinance.


Village of Byron  
Regular Council Meeting Minutes  
November 9, 2015, 2015

**Public Comments** – M. Prestonise, P. Morse, W. Prestonise and C. Granger asked questions and made comments.

**Meeting adjourned at:** Motion to adjourn at 9:57 pm by Miller; seconded by Berecz. Voice Vote: Ayes- Prestonise, Bessenbacher, Miller, Orr, Berecz, Cole and Brunell. No nays-passed.



Marsha Reed, Clerk



Date



Kit Brunell, President

Full recording is available in the office. Please give the clerk a twenty four (24) notice for the recording request.