

Village of Byron  
Special Council Meeting Minutes  
September 1, 2015

Meeting called to order at: 7:30 pm by President Brunell

Pledge of Allegiance Led By: President Brunell

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

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

New Business: A) Publication for Police Chief- Brunell said according to August 10<sup>th</sup> meeting it stated to post the position for Police Chief on MCOLES and it was done. In your information you will see we have received 8 candidates, which have been called and scheduled for interviews on September 25, 2015, which is the personnel committee meeting night and figured we would turn it into a council meeting. The candidates have been scheduled in slots of approximately 20 minutes. Miller said we got on and we never agreed to the qualifications. Brunell said it is basic qualifications and Miller said it was never brought to council. We feel that they don't need college degrees. Brunell said she talked to Gormley and sent it to him. Miller said we have shut out a lot of qualified individuals. Brunell explained what was posted with it and that the hours were changed. Miller said I think we should repost it. Brunell said let me explain the posting process and it took 1-1/2 weeks to post. Miller said we can wait the 1-1/2 week. Brunell asked if we were going to push these other candidates aside and Miller said no they can come in on the 25<sup>th</sup> but we will post it and give it a week to see what we get and we would like to see the ones without a college degree. Brunell said so your looking to post is September 12<sup>th</sup> and leaving it open until the 18<sup>th</sup>. Miller said yes. Brunell said that would mean scheduling them in October. So, you're looking at appointing someone by October 12<sup>th</sup>. Miller said I can live with that. Cole said maybe you can but I think we need a police force sooner than that. Bessenbacher said the county and state have been here. We have all of these applicants but where are there resumes. Brunell said I explained that and said that you would get the resumes a couple of days before the meeting. Miller said I know of a couple of good people that don't have degrees that applied and they are not in here. We are cutting out a lot of good people...Brunell said you said they submitted their application and Miller said yes. Brunell said these are the only applications we have received. Reed said she never received any more than what was here. Miller motioned to repost the job of Police of Chief and extend it a week after it is posted; Bessenbacher seconded. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise. Nays – Cole and Brunell; Passed.

B) Sampey Badge: Brunell said Sampey has received his retirement badge as of August 20<sup>th</sup> and at the meeting where he announced his retirement; we discussed the badge in the police office and he understood that the Village council could not present his badge do to the stipulations discussed at that time. I asked him specifically, it had been ordered and we had not received it yet, that when it came in how would he like us to get it to him. He stated that he was fine with mailing it to him. When it came in, I don't have that date at this time. Miller said well I do, it was July 10<sup>th</sup>. Brunell said it wasn't paid for because it couldn't be paid for by the council, you were

Village of Byron  
Special Council Meeting Minutes  
September 1, 2015

given a letter because you stated that you would pay for it and when you paid for it, I believe it was sent out the next day. Miller asked who mailed it and Brunell said I did from the office. Miller asked if she let Reed know and Brunell said she was here when I did it. Miller said here is the problem I am having; at the July meeting I stated that I would pay for it. So the Village office had it for over a month and I was never notified that it came in. Brunell said when was the meeting in July and Reed said I don't know because I was not here, I was on vacation. Gormley said it was the 13<sup>th</sup>. Miller said the village office had it a whole month and no one notified me. Brunell asked why would we have notified you. Miller said because I said I would pay for it. If you would have notified me, we could have given it to the Chief on the August 10<sup>th</sup> meeting. I brought my check in, after I received in my box the statement and I presented it to Reed. She had informed Prestonise and I that it had not been shipped. Reed said I wasn't aware that it was shipped because I was on vacation. Miller said the treasurer was there and when Reed was asked if it shipped she said no. Reed said to my knowledge it hadn't been shipped. Brunell asked shipped where. Miller replied it was delivered to the office Brunell. Brunell said I am just asking a question Miller, don't get snippy with me. Miller said what I don't understand is when I paid for it the clerk told us that the office had not received it. I would like to know why the Chief was not presented with his retirement badge. In fact when you go to the minutes you said you didn't have it and Brunell asked if he had a copy of the August minutes and Miller said no. Brunell said that's good because we haven't approved them yet. Miller said I would like to know why I wasn't notified when it came in, so I could pay for it and present it to him at the August meeting. Brunell said don't know. Reed said I wasn't even here. Brunell said direct your questions to the chair. Bessenbacher said it's dated August 14<sup>th</sup>, so where was it. Reed said I don't know I was not here; I was in Canada at that time. Brunell said we got an invoice the day it was ordered. Bessenbacher said it was delivered on July 10<sup>th</sup>. Miller said the office had possession of it and I am not saying who, Reed who has keys to the mail box. Brunell said direct your questions to the chair and she told him who has keys to the office. Miller said we didn't have a treasurer then asked Prestonise if he came in and he said no. Brunell said what is the point of order here and Miller said where was the badge and why wasn't I notified the day it was received by the village office. Brunell said during the time that it was ordered and we had the village meeting where it was discussed, Root brought up the fact that the council couldn't pay for it. Between the July meeting and the August meeting we tried to get ahold of the bookkeeper to see if we could purchase it, and I may have emailed you about it, the August meeting is when we received the answer back; that no we could not purchase the badge. Bessenbacher said it was delivered July 10<sup>th</sup>. Gormley asked if we discussed it at the June meeting because of the delivery date. Some place we are missing a date. Miller said at the July meeting...Gormley said I remember that you said it because I said I would split it. Brunell asked Miller what his question was and Miller said I want to know why we did not present the badge to the chief at the August meeting when everybody knew I was paying for the badge. All I needed was the amount and we had the badge for a month; I was never notified and that's my problem. Brunell asked when the memo to you is dated. Miller responded August 14<sup>th</sup>. Brunell said I cannot release anything when we didn't know if it was going to be sent back or paid for. Miller said there was no question I was going to pay for it...Brunell said if you go to the gas station and tell them I am going to get gas and I will pay you later are they going to let you get gas. Miller said on August 10<sup>th</sup> you stated that the Village could not pay for it...Brunell said possibly, until the minutes are approved I am not going to address that. Miller said so you knew before the August 10<sup>th</sup> meeting that the Village couldn't pay for it. So, why wasn't I notified the morning of August 10<sup>th</sup> and I would have come in and

Village of Byron  
Special Council Meeting Minutes  
September 1, 2015

paid for the badge so we could have presented it to the chief at the meeting. Brunell said so my question to possibly answer your question; you got your packet the Thursday before the August 10<sup>th</sup> meeting, correct and that's when we always put the packets in...Miller said it doesn't mean I picked it up that day. Brunell said whatever, you had previous knowledge before August 10<sup>th</sup>, and I am not going to say it was included in your packet, that the village could not purchase it. So, prior to August 10<sup>th</sup> you knew that the village could not pay for the badge you would pay for the badge whenever. You were sent the memo before we decided to send the badge back. You were given notification and I believe the day you came in, Reed contacted me and stated that you paid for the badge. There was some confusion on it because the village had paid for it on credit card and you came in and wrote the check to the company, am I right? Then I was told you had called the company and that we were on a net 30 for the badge and like I said that caused some confusion because the credit card was used to order the badge. It took a couple of days to call the company to find out that you were correct and you could pay for it. When we found out the payment was valid the badge was sent to Sampey. Miller said when I called the company they told me it was not paid for. Brunell said correct, but we thought it was on the credit card. Miller said the day I received this I came in and gave Reed my check; I called the company and asked if the village had paid for it and they said no. I asked them how they would like me to pay for it and they said send the check directly to them. The ladies name is Robin, that's who I talked to. Brunell said I also spoke to her after Reed told me you came in with a check. Miller said ok so here is my next question for Reed and Brunell said the questions are directed to me. Miller said ok here is my question; I made a request that when the village received the badge, because Reed said that the village had not received it, could I be called because I paid for it so I could give it to the chief personally. Have I received a call Reed? Brunell said when Reed called and told me that you had made the payment, I contacted Robin because the village had already paid for it on the credit card and we didn't want to have a double payment somewhere. She clarified that they had not accepted payment so we sent the check on, am I correct? I instructed Reed that I will draft a letter and send it out like Sampey and I discussed previously. The whole thing was straightened out whether the village could or could not purchase it what was going to happen and did he want us to mail it to his residence, he replied yes. So, the reason I approved it to be mailed was because I thought it was something that was being presented from the council; council had approved the purchase and approved to give him a retirement badge. Miller asked who paid for the badge and Brunell replied no one because we thought it was paid for until you came in...Miller asked who paid for the badge and Brunell said you did on behalf of the Village Council. The Village Council moved and motioned to give him the badge. Miller said my question is; why the council wasn't approached and asked how the badge should be presented. Brunell said Sampey and I had already discussed it. Miller said I thought it was the councils; you were concerned about the council. Brunell said the council motioned to give him a retirement badge. Bessenbacher said I have a question where was the badge the night of August 10<sup>th</sup> and Brunell said I don't know, probably in the office. Bessenbacher said see right there why and Brunell said what is the big deal, he wanted it mailed to him...Bessenbacher said he wanted his ID badge mailed to him and Brunell said just like his ID badge, which is in the works with Chris K. from the County and it will be mailed to him also. Were you in the office when we had the discussion and Bessenbacher said no, but I have already talked to him...Brunell said obviously a lot of things have gone back and forth between Sampey and individuals because we have a problem with some billing for Family Fun Day that Sampey sent emails but B. Miller said no I never did that. So, the communication between Sampey is not

Village of Byron  
Special Council Meeting Minutes  
September 1, 2015

very good thing. Miller asked if he could address the floor and said he felt that he was misled by the clerk and the trust between us is severed. Because I think it was a game being played and Brunell said I think a lot of games are being played. Miller said so I don't know where we go from here. Brunell said obviously Sampey didn't have a problem with it or he would have addressed the council. Miller said it is not about the chief, it was about the way this council was treated. Brunell said let's not go on how the council was treated, because you guys found out that I was going to take a vacation and boy you got right in here and called a special meeting thinking I was gone. Miller said no that's not true and Brunell said it is true because I made that memo and handed it to the clerk and told her to put it in the council's boxes and I can guarantee on Monday morning they will call a special meeting. Miller said I received the information and Brunell said you already said that. Miller said I received the tracking information from the post office Monday morning and Brunell said ok. Miller said so when I had the paperwork I came in and we called a special meeting and that was all it was about. Brunell said this couldn't be asked at a regular meeting and you are supposed to give 24 hours' notice for special meetings, according to village law. I think you are twisting laws and words to suit your purposes. Miller said that's not true. Brunell said so is there a point of order that you want to bring to council regarding the situation and Miller said I did not receive an answer on why we did not give the badge to the chief on August 10<sup>th</sup> and Brunell said he has the badge and I did answer that. Miller asked Gormley if we could go into closed session to talk about the clerk...Brunell said it is a special meeting and it is not on the agenda and Gormley said it is a special meeting and only if the clerk request it. If you were going to consider discipline or suspension or termination of an employee any employee, whether the clerk or somebody else, they have the right to take it into closed session. Brunell asked if there was anything else Miller said no. Brunell said moving along to

**C) Resignation:** Brunell said on Monday we received the resignation of our DPW Supervisor and I feel it necessary to read it publicly: Village of Byron Council members, on 9/9/2015 at 3:30 pm I will be resigning all ties with the Village of Byron DPW. I can no longer be associated with such misinformed and destructive council; 5 of the 6 trustees toward the Village and its employees. Your quest for power and fame will destroy what is left of our little town; My God help us. M. Granger, Your once proud and 32 year employee. Brunell said I have confirmed that we can move on this resignation tonight with the fact that he is resigning September 9<sup>th</sup>, which is in 8 days. You also have a packet, which I included, of what the requirements are for a DPW person that is in charge of sanitary and of our water treatment distribution operations. You can read it at your leisure and the gist of that is we will not be able to hire someone for \$10.00 per hour upon his leaving because there are a lot of things to do with what he does. With that being said and with it being presented to you tonight we need to move on where we go from here because otherwise in a lot of deep trouble. Miller said you will have to post it and Brunell said you have to accept the resignation first. Bessenbacher motion to accept the resignation of M. Granger, DPW Supervisor and seconded by Miller. Brunell asked if there was any discussion and then added the only discussion she had was honestly I am disgusted with this council and the fact that this had to go this far and to feel the way he has felt...yes there have been a lot of issues with Granger and I totally agree with some of the council members regarding some of the issues. I personally feel that the last year it was a head hunting situation and many of the employees some have left already, and I just think it is a sad situation and personally I don't think you will find anybody to replace Granger in the quality of work that he gave to this Village. And if you guys can go home and sit in your homes with all consciousness and turn on your

Village of Byron  
Special Council Meeting Minutes  
September 1, 2015

water faucets and question whether you're going to have pure drinking water or not, good for you. Because, as far as September 9<sup>th</sup>, I will be buying bottled water. Bessenbacher said we will be fine and we will just post the job. Brunell said it's not that easy Bessenbacher. You don't even want to put a Police Chief in here without going months and months. Bessenbacher said we will have to post it and we will be just fine. Miller said this is the first we've heard. Brunell said he brought it in August 31<sup>st</sup>. But the point is; you can't go September 9<sup>th</sup> without knowing that that plant down there is being taken care of, monitored and the levels are where they should be, and you're not going to replace. You need to come up tonight with some resolve as far as what happens September 9<sup>th</sup>; contract it out what are you going to do. Bessenbacher said it a good thing we had a special meeting tonight or we wouldn't have...Brunell said otherwise this would have been a good reason to call a special meeting, so thank goodness the resignation did come in, you're right. Any further discussion on Granger's resignation, none being heard roll call please. Roll Call: Ayes- Berez, Miller, Bessenbacher, Prestonise and Orr. Nays-Cole and Brunell; passed.

Council Comments: Cole said it just makes me sick. He has always been very good at taking care of everything he was responsible for. Sure he might have yelled and complained and he had a hot temper but, he always did his job. Bessenbacher said she would agree with that. Cole said you are not going to find anybody very easily especially for what we paid him. Bessenbacher said there are people out there you just need to post it. Miller said we can contact DEQ to see if they can help. Gormley said can I make a short term suggestion; contact Bancroft, Morrice, they both have licensed guys that could possibly contract with for those services and do something else with the rest of the services. You don't want to miss the deadline with the State. Berez asked Gormley if he had a discussion with Granger about the contract and did that have anything to do with it. Gormley said yes he talked to Granger and Granger said it didn't really matter anyway; few days later he resigned. Brunell said he has wanted to resign for 6 months and I held him off this long. Miller said I think we should contact the communities around us and see if we can find a short term solution. Brunell asked if Berez could take it over and check out options. Berez said I can try. Brunell said I will contact DEQ and they will be here for the meeting. The only other comment I have to say is Orr you still think it was my daughter and her boyfriend that was passing notices and I am here to finally end this discussion. I am asking have you ever met my daughter face to face and Orr replied at the gas station, I was on one pump and she was on the other side. Brunell said I am going to reiterate again, my daughter had nothing to do with those things that were going up. My daughter does not have a boyfriend and you seem to think it was her and her boyfriend so; I am going to ask again for the council to put it to rest and leave my children out of the foolishness that goes on outside the doors. Orr said I will tell you I watched her walk down the street and do it. Brunell said how could you watch her the night it happened when she was in Tennessee and I find it awful funny that she would leave a church camp in Tennessee to come back here and do it. Reed made comments to Miller about not being a liar and stated that she was out of the country. She also said that she did not know that the badge was delivered or shipped. She also commented to Bessenbacher.

Public Comments: None

Meeting adjourned at : 8:20pm. Motion by Brunell and seconded by Miller. Voice Vote: All Ayes- Prestonise, Miller, Bessenbacher, Cole, Orr, Berez and Brunell; passed.

Village of Byron  
Special Council Meeting Minutes

September 1, 2015



Marsha Reed, Clerk

10/12/15

Date



Kit Brunell, President