

Village of Byron
Regular Council Meeting Minutes
September 12, 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: Miller motioned to approve the agenda with the addition of Shettler after reports and in new business adding letter G (Review of DPW), H (Dollar General Survey) and I (FOIA); seconded by Berecz. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

Approval of Minutes: Cole motioned to approve the Regular Meeting Minutes for August 8, 2016 with corrections; seconded by Berecz. Voice Vote: Ayes- Orr, Berecz, Miller, Bessenbacher, Cole, Prestonise and Brunell. No Nays: - Passed. Miller motioned to approve the Special Meeting Minutes for August 23, 2016 as written; seconded by Cole. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

Public Comments – Agenda Items: None

Treasurers Report – Ketchum read report. Report to stand pending audit. Miller asked about check for property sale and Ketchum explained that it should show in the September report.

Approval of Bills – Cole motioned to approve the bills with checks 24659-24690 except checks 24669-24670 and voided check 24678 totaling \$66,901.11; seconded by Berecz. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise, Cole and Brunell. No Nays - Passed. Brunell explained Durand bill for sewer repair and the Kennedy Industries. Prestonise asked about the Independent and Reed explained that it was the water quality report that was published once.

Bills Awaiting Approval – Cole motioned to pay bills (blue folder) listed on approval sheet (which she read to council) totaling \$10,986.96; seconded by Berecz. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise, Cole and Brunell. No Nays - Passed.

President's Communications: Brunell explained the meeting that Dickinson would like to hold in the municipal building on September 20th or 22nd (Coalition Meeting). Brunell read the email and Miller explained the meeting that he had attended. Cole motioned to approve the use of the municipal building to hold the meeting requested by Dickinson; seconded by Berecz. Roll Call: Ayes- Orr, Berecz, Miller, Bessenbacher, Prestonise, Cole and Brunell. No Nays - Passed. Prestonise said he doesn't agree because the residents can't use the building. Bessenbacher asked about baby showers. Miller explained more about the coalition meeting. Brunell went on to explain the delinquent notice for Public Act 2 and that it is a function of the accounting firm and that it is being check as to why they haven't filed it. She explained that she has tried to contact M&M paving and has received no response. Miller asked if payment made and Brunell answered yes. Brunell talked about the trash bin placement and explained what the DEQ had to say about guard rail good idea. She talked about the check for block 15 lots and

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that it was a little over \$39,000.00 because title insurance was paid for. She also said that it just about covered the Demo cost.

Personnel Committee: Berecz explained about the police car and Brunell asked about the speed sign. Berecz said it has been operating all day and that Durand will move to other locations. Council talked about stops that have been made. Some continued discussion on tickets. Brunell said she thinks it is working out well.

Streets Committee: Miller talked about the drain that was jetted and removing 3 bags of cement. Miller motioned to have Warren figure out how to put a grate up so cement can't go in it; seconded by Berecz. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed. Miller motioned to have the manhole cover changed from large holes to small holes. May be swapped or replaced if we have one; seconded by Cole. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed. Miller went on to explain the Dixon repairs over a 5 year period and have Warren get estimates for foundation repair. He went on to recommend having bids done in the spring for Lehring Road repair.

DPW Report: Warren went over the report. Questions were asked and answered on push mowers and Warren said he has one running and the others are missing parts. Warren talked about other repairs that were done. Bessenbacher asked about white lines painted on grass and Warren said he had no idea. Brunell asked about dam repairs and Prestonise explained about the boards. Lagoon mowing explained and about the parts needed to fix the John Deere. Miller motioned for Warren to buy the parts for the John Deere from D&G for \$444.78; seconded by Cole. Roll Call: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed. Pipe locator discussion took place and Brunell said it is used for water turn on/off. Berecz explained how the other was defective and that it is needed equipment. Orr motioned to approve the purchase of the locator for \$549.00 and model 19-200sc Magna Trak with soft case; seconded by Bessenbacher. Roll Call: Ayes-Bessenbacher, Berecz, Orr, Miller, Cole and Brunell; Nays – Prestonise; Passed.

Commissioner's Report: Root said extending contract with P. Preston and Preston wants 3 year deal. There are 911 issues that have come up. Purchased new building (old Red Cross building) and more cost has occurred. They want more surcharges and Root explained that they would like to operate on their own. Hired new executive assistant and talked about Ben Frederick event and handed out flyers.

Janet Shettler: She explained that her brother is Hottis and on July 18th his check was lost in the mail and his water was turned off. She went on to say that his wife was very ill. She also said that she read the ordinance and that it was good and she understood why we have to enforce the ordinance but, could council make an exception because of the illness and refund the \$300.00 turn off/on fee. Bessenbacher asked if we go by post marks and Reed said yes. Brunell explained why she came in and Shettler said the check still has not shown up. Gromley explained that there was no option to waive the fee. Brunell said more research needs to be done before a decision could be made and council agreed.

DDA: B. Miller talked about the Special DDA Meeting and what was discussed. She went over the information that AGS gave them and she asked Gormley if he received and information about the maps.

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Gormley explained the process. B. Miller then said on Saturday September 17, 2016 the DDA will be hosting the community breakfast at the Mason's.

Old Business: A) Hydrant Flushing: Miller suggested to have Warren get in contact with the Fire Chief to learn how to flush and winterize hydrants. Reed will get with Warren for date so notice is published.

B) Consumers Audit Report: Brunell explained the Consumers Audit report and Reed explained the rebates. Miller motioned to have Warren in October swap out lights and thermostats as rebates come in; seconded by Berecz. Roll Call: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

New Business - A) Amend Budget Showing Revenue: Brunell explained that we will need to hold off until next month and motioned to table until October meeting; seconded by Miller. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

B) Police: A) Brunell explained the letter was returned after 3 delivery attempts. Gormley explained talking with Hartz and Miller motioned to turn over to Hartz with written report for next meeting; seconded by Cole. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed. Berecz will contact Hartz. **B) Car Repair:** Berecz explained the repair cost of the police car and Orr motioned to have the police car repaired for \$1563.13; seconded by Miller. Roll Call: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

C) Tree Estimates: Brunell explained the location of the trees and showed the second quote. Some discussion took place and Brunell said there is money in budget for it. Miller motioned to go with Holtslander for \$1,100.00 unless Tree Cowboys cheaper; seconded by Berecz. Roll Call: Ayes-Bessenbacher, Berecz, Orr, Miller, Cole and Brunell; No Nays – Prestonise abstained; Passed.

D) Bridge Inspections: Brunell explained that it was time for the bridge inspections to be done. Discussion took place and Reed explained the Spicer increase. Miller motioned to have bridges inspected not to exceed \$1,500.00 unless found cheaper; seconded by Berecz. Roll Call: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

E) Water Certification Review Courses: Brunell explained the course and other contacts. She explained what was recommended and said we probably should pass on this. Warren will come back with needed class list. No action needed.

F) Event Permit: Car Show permit and B. Miller will provide copy of insurance. Miller moved to approve the September 17, 2016 car show from 8:00 am until 3:00 pm; seconded by Cole. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

Home Coming Parade Permit: Miller moved to approve the Homecoming Parade from 2:00 pm until 2:30 pm; seconded by Berecz. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

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Byron Fall Festival Permit: Miller moved to approve the Byron Fall Festival on October 22, 2016 with locations in Village of downtown area and sidewalks from 2:00 pm until 6:00 pm; seconded by Orr. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed. Discussion took place on the areas of the permit and Reed will let her know that we can only approve what the Village owns.

G) Review of DPW: Miller motioned to terminate Boatright because he never got back with council before placing publication for DPW; seconded by Bessenbacher. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

H) Dollar General Survey: Prestonise asked why all the residents didn't receive a survey and Brunell explained the contact with Aaron and how the water bills are addressed. Prestonise asked why did we pay our office staff to mail them out. Discussion on the subject took place. Cole motioned not to count or do anything with the survey. Do nothing with them; seconded by Prestonise. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

I) FOIA: Miller moved to waive the attorney client privilege regarding Lex Crooks; seconded by Brunell. Voice Vote: Ayes-Bessenbacher, Berecz, Orr, Miller, Prestonise, Cole and Brunell; No Nays - Passed.

Any Other Business from Council /Comments: Cole asked why Red Mill not out of DDA district and it was explained. Gormley the way it could be done and will look into it. Berecz asked permission to continue DPW audit and that any equipment that can't be used be taken out of inventory/service (ex. Sickie bar and tractor). Mowing clarification needs to be given to Warren. He also said inspection where DPW wall falling located by salt bed. Discussion on the subject took place. Gormley suggested a mowing map. Cole asked about duck weeds and Berecz said about half lagoon covered. Prestonise said it was still a waste of time, money and materials for the dumpster. Brunell talked about retrieving previous property when person said they didn't want it and now he does. We need a policy for property retrieval. Berecz said Reed was there and Reed said we were all there.

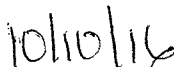
Public Comments: M. McDaniel talked about having to move the fence because the Village gave easement over ally way and the neighbor is saying that the fence is on his property. Reed explained the situation and Gormley said we do not have jurisdiction over it. He went on to say it is a civil matter between the 2 parties and suggested McDaniel gets a lawyer.

Items For Next Agenda: Shettler utilities and budget amendment.

Meeting adjourned at: Motion to adjourn at 9:13 pm by Orr; seconded by Prestonise. Voice Vote: Ayes-Prestonise, Bessenbacher, Miller, Orr, Berecz, Cole and Brunell. No nays-passed.



Marsha Reed, Clerk



Date



Kit Brunell, President