

**Village of Pinckney
Regular Council Meeting
June 26, 2017**

The President called the meeting to order in the Village Council Chambers at 220 S. Howell, Pinckney at 7:00 pm on June 26, 2017.

ROLL CALL:

Present: Foster, Kauserud, M. Kinczkowski, T. Kinczkowski, Pais, Vedder and Lavey
Also Present: K. Lim (Accountant), J. Newton (Police), A. Salowitz (Clerk)

PLEDGE OF ALLEGIANCE

PUBLIC FORUM:

Lavey opened at 7:00pm. No one present to speak. Closed at 7:01pm

CONSENT AGENDA:

Motion by Foster to accept consent agenda; Seconded by T. Kinczkowski
Yeas: Foster, Kauserud, M. Kinczkowski, T. Kinczkowski, Pais, Vedder and Lavey
Nays: None
Motion carried in a roll call vote.

PRESIDENT'S REPORT:

- Village Hall will be closed on July 3rd and 4th.
- Tire Collection – July 8th sponsored by the LC Drain Commission. Appointment Necessary
- Hazardous Waste collection – July 22nd in Green Oak Township
- Mobilization for the Portage street project to begin tomorrow. Full work estimated to begin on Wednesday.
- Lavey attended township meeting last week. Mr. Brennan suggested to members to review village council minutes.
- Lavey got the impression that the Township Planning Commission didn't think their master plan needed any work. She will follow up to make sure she did not misunderstand the comment.
- Lavey left a message for Mr. Brennan regarding the preparation of the Joint Parks & Recreation master plan

UNFINISHED BUSINESS:

1. Historic District Study Committee
 - a. No Update
2. Lee St./ Howell
 - a. Settling soon; one homeowner has not responded. They will receive another invoice and letter indicating that if it is not paid it will go on 2018 Summer Tax.
3. Coal Tar Ordinance
Foster thought that it was coming back with registration of vendors' information and enforcement roles. T. Kinczkowski disagreed. His memory tells him that the board was concerned about overloading staff. Vedder liked Wolverine Lake sample.
4. Unexpected Revenue Resolution
Lavey shared input from Auditor and Attorney. She noted changes made since last review.

Motion by Pais to accept the resolution as presented; Seconded by Kauserud.

WHEREAS from time to time the Village receives certain one-time, unexpected revenues that may include proceeds from asset sales, rental of equipment or space, debt refinancing, revenue spikes, budget savings and similar non-recurring revenue, and

WHEREAS one-time, unexpected revenues shall be understood to exclude all restricted funds, fees, drug forfeitures, millage, grants, donations, or other funds otherwise designated for a specific use, and

WHEREAS the village wants to ensure that it maintains a structurally balanced budget and does not use onetime resources to increase the base budget that cannot be sustained by ongoing resources,

NOW, THEREFORE, BE IT RESOLVED:

Appropriate uses of one-time resources include rebuilding the fund balance, early retirement of debt, capital expenditures, and other non-recurring expenditures.

Further, it is resolved that 10% of any one-time revenue to the General Fund be applied to establish and build the fund for Parks and Recreation.

Yeas: Foster, Kauserud, M. Kinczkowski, T. Kinczkowski, Pais, Vedder and Lavey

Nays: None

Motion carried in a roll call vote.

AGENDA:

1. MLCC Local Government Approval Resolution Request

Lavey welcomed Mr. & Mrs. Massey, the applicants for the liquor license requesting the resolution of support.

Mr. Massey indicated that their organization, Global Franchise Development Corp., was applying for a Class C Retail Liquor License and a resolution of support from the village was the only outstanding requirement. He added that he met with Chief Newton and addressed his concerns. The owners were trying to secure more corporate events. The event organizers request sales of alcohol following the events. The state special event liquor licenses are only available to non-profit entities. The only permit that the Massey's found was a full Class C retail liquor license which is why they are not pursuing a tavern license.

Newton indicated that he and Officer Trenkle toured the property with Mr. Massey. Sales would take place in a square gazebo – 20X20 or 24X24. Newton concerned about security but that would be addressed with the state investigator. Technically, if sales are allowed on the property they are allowed on the entire property. He added that he believes the campsites can bring in alcohol and that those sites are governed by the state camping permit Massey has obtained.

Massey indicated that it is their plan to hire local PD to patrol during events. They have no intention of doing anything in opposition of their license and were good license holders when they owned the Blue Martini in town.

Foster questioned whether camping was in violation of zoning. T. Kinczkowski indicated that he did not think that was relevant to this matter but the issue should be resolved.

Motion by Vedder to offer a resolution of support for Global Franchise Development Corp., for their application to the state for a Class C Retail Liquor license; Seconded by T. Kinczkowski.

Yeas: Foster, Kauserud, M. Kinczkowski, T. Kinczkowski, Pais, and Vedder

Nays: Lavey

Motion carried in a roll call vote.

Newton excused himself from the meeting.

2. Pro Tem/Committee assignments vacant from Menosky

Menosky's appointments need to be accepted by others for the duration of the calendar year.

Lavey nominated Foster to act as Pro Tem; Foster accepted.

Salowitz suggested that M. Kinczkowski indicate what committees she would be comfortable sitting on since she has assumed Menosky's seat.

M. Kinczkowski indicated that she would like to sit on Personnel and Police. Lavey indicated to M. Kinczkowski and Pais that they will need to schedule a Personnel meeting in the near future. She added that the quarterly meeting for Police will be coming up and Newton would notify her of the date.

Salowitz indicated that there would probably not be any further budget meetings this calendar year but it is best to have an appointment in case a meeting is necessary. T. Kinczkowski offered to take on the budget committee position.

3. Budget Amendment

Lim indicated that the amendments were required to keep us under budget before the fiscal year ended. There are not revenue adjustments even though there was an increase in revenue. She added that there is cushion in the amendments and she did not suspect that the entire amount would be utilized.

	Current		Amended
	Budget	Amendments	Budget
General Fund			
Expenditures			
Village Clerk	96,910	5,700	102,610
Village Secretary	24,860	750	25,610
Elections	1,500	10	1,510
Buildings & Grounds	19,030	18,000	37,030
Legal Fees	12,000	1,000	13,000
Police Department	418,809	15,000	433,809
Transfer to Capital Replacement	93,850	5,300	99,150
Transfer to/(from) Fund Balance	(26,209)	(45,760)	(71,969)
Police Training Fund			
Expenditures	800		

		200	1,000
<u>Police Salvage Vehicles</u>			
Expenditures		-	
		1,500	1,500
<u>Police K-9 Fund</u>			
Expenditures	3,995	1,500	5,495
<u>Cemetery</u>			
Expenditures	17,055	2,000	19,055
<u>Sewer</u>			
Expenditures	615,555	150,000	765,555

Motion by Foster to accept resolution as presented: Seconded by T. Kinczkowski
Yeas: Foster, Kauserud, M. Kinczkowski, T. Kinczkowski, Pais, Vedder and Lavey
Nays: None
Motion carried in a roll call vote.

4. Technical Standards Waiver Resolution

Lavey indicated that there was some discussion after the last ZBA meeting that Technical Standards should have been waived by Council not the ZBA. In order to clean up the information the following resolution was offered:

WHEREAS the Village Council does act as the Zoning Board of Appeals and;
WHEREAS this body serving as the ZBA did allow a waiver of the Village technical standards at its meeting on May 22, 2017;
WHEREAS the Village Council does retain its exclusive right to grant waivers of Village technical standards;

NOW, THEREFORE, BE IT RESOLVED:

Village Council does now formally acknowledge and endorse the waiver of the Village technical standards granted to Fernco, Lenco, Norco Development through their representative Vanston-O'Brien, Inc., regarding permeable surface in an outdoor RV storage facility as presented, discussed, and approved by the Zoning Board of Appeals on May 22, 2017.

Motion by T. Kinczkowski to accept resolution as presented; Seconded Kauserud
Yeas: Foster, Kauserud, M. Kinczkowski, T. Kinczkowski, Pais, Vedder and Lavey
Nays: None
Motion carried.

5. Discussion: Potential Zoning Ordinance changes re: Approvals

Lavey indicated that after Mr. Pais misspoke at Planning Commission, regarding the Councils comfort level with the proposed approval changes to the Zoning Ordinance, she wanted to revisit it and make sure everyone was on the same page. She also thanked Mr. Pais for all of his efforts with the Planning Commission and noted that it was not her intention to call him out. It was just a moment that made her wonder if everyone was in the same place.

Lavey presented a document summarizing the opinions on proposed changes from Scott Barb, Livingston County Planning and D. Stoker, Village Attorney. She also included an excerpt from the Village Council meeting minutes.

Pais noted that he believes that the Planning Commission works in strict adherence to the ordinance, guided by good information presented by the Planner, and he is comfortable with the changes as recommended previously.

Vedder confirmed that in the May 8, 2017 meeting, Kay-Houaboom confirmed that the current zoning ordinance is strictly enforced and Planning Commission is to not create exceptions.

Foster added that she was comfortable with the changes as it offers "an avenue to appeal" and she didn't think there was a reason to change the previous vote.

Consensus to keep as originally voted.

Lavey indicated that there should be a Public Hearing on the Zoning Ordinance in August so it will come back to Council in late August or early September.

TRUSTEE FORUM

Opened at 8:08pm

Foster indicated that a report has not yet been issued on the dam tour but there were a couple of issues like who owns the dam at Mower and S. Howell and why is the Village owned dam considered high hazard. Engineers gave thoughts on reducing weed growth at Mower dam by slowly releasing water through the two openings. They may propose clean-up of the village dam as there appears to be a large amount of sediment build up.

Salowitz indicated that there were two sessions remaining for Newly Elected Training – Infrastructure and the Police Department. She will speak with department heads and get those sessions scheduled. She noted to M. Kinczkowski that she would send her an outline of the previous presentations and Misty could schedule one-on-one sessions in her own time.

Foster had concerns about the property at 211 W. Main. It looks worse than ever and was wondering when it will be ticketed for blight infractions. Lavey indicated that the property owner was conducting demolition based on a land use permit from the village and not demo permits from the county. The county put a stop work on the project until they have permits and an asbestos abatement plan. The stop work took place on June 13th. Kay-Houaboom to provide an update to Council via monthly report at the next meeting.

Closed at 8:15pm

PUBLIC FORUM

Opened 8:15pm. No one wished to speak. Closed at 8:15pm

Meeting Adjourned at 8:15pm

Approval Date _____

Respectfully Submitted,

Amy Salowitz, CMMC
Village Clerk

Linda E. Lavey
Village President

DRAFT