

**Village of Pinckney  
Regular Council Meeting  
September 25, 2023**

President Lavey called the meeting to order in Village Council Chambers at 220 S. Howell, Pinckney, at 7:02 p.m. on September 25, 2023.

**ROLL CALL:**

Present: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey  
Also Present: J. Chapman (Clerk), J. Durkin (Zoning Administrator) and D. Moma (DPW Director – remotely via Teams)  
Absent: Matson

**PLEDGE OF ALLEGIANCE**

**PUBLIC FORUM:**

Public Forum opened at 7:03 p.m.  
No one wished to speak.  
Public Forum closed at 7:03 p.m.

**CONSENT AGENDA:**

President Lavey added Agenda Item No. 8, Parking Easement.

Motion by Kinczkowski to approve the amended Consent Agenda; seconded by Spencer.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

**PRESIDENT’S REPORT:**

The NW Quadrant project was delayed by cement installation, but it is now moving forward again.

Paperwork regarding the park purchase has been approved by EGLE and is now awaiting approval from the Attorney General’s office. Once it is approved by the Attorney General, it will be sent back to the Seller’s attorney.

President Lavey has been working to obtain additional parking for businesses during the N. Howell St. construction project. The owner of the DIO Theatre, the Pinckney Community Public Library and Trufit have all agreed to allow parking in their lots during the project.

Surveying is currently under way in two places – at the cell tower and at The Means Project, for the purpose of obtaining land for the cemetery.

There has been no information from The Means Project as to what is happening.

President Lavey had a meeting with SEMCOG regarding the high school pathway. She was told the plan must be very specific, so another meeting will be scheduled with MDOT and the engineer.

President Lavey is considering signing the Village up as a member of SEMCOG as it could prove beneficial in the pathway planning process. The annual membership fee is around \$800.

Homecoming Parade is this Friday.

The Art is Healing event will take place on Saturday and Sunday.

The Lakeland Knolls project was tabled at the September 2 Planning Commission meeting. Final plans were delivered just a few days before the meeting and there wasn't time to properly review them.

#### COMMITTEE REPORTS:

There were no committee meetings since the last Council meeting.

#### AGENDA:

##### 1) AMENDMENT TO ORDINANCE AUTHORIZING MARIHUANA ESTABLISHMENTS

The Cannabis Committee requests that the two microbusiness licenses held by the Village be divided into one microbusiness license and one Class A microbusiness license.

Motion by Buerman to approve Ordinance No. 171, Ordinance Amending the Village of Pinckney Code of Ordinances by Amending Title XI, Business Regulations, Chapter 113, Miscellaneous Businesses Requiring a License, Section 113.33, as presented; seconded by Bierman.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

Discussion was had regarding the time frame set up to accept applications. It was thought that the window opened from September 1 through October 31, but the new license wasn't available at that time. Trustees wanted to be sure that applicants had sufficient time to apply.

Motion by Kinczkowski to extend the application period to make up for the window that was missed in September; seconded by Buerman.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

##### 2) SIGN ORDINANCE

Thanks was given to Zoning Administrator Julie Durkin for working on this for so long. Much discussion was had as to the issues with sign ordinances. Village attorney Dave Stoker explained his concerns regarding the Supreme Court's rulings on signs and the Constitution's First Amendment as it relates to the temporary sign sections. The Court

ruled that if the restrictions on signs differ based on the content of the signs, those restrictions were likely First Amendment violations.

Motion by Kinczkowski to approve the Sign Ordinance as presented; seconded by Spencer.

Yeas: Kinczkowski

Nays: Bierman, Buerman, Conquest, Spencer and Lavey

Absent: Matson

Motion not carried.

3) RESOLUTION ESTABLISHING REQUIREMENTS FOR HYDRANT RENTAL AND WATER SALES OUTSIDE NORMAL RESIDENTIAL AND COMMERCIAL USAGE

In April of 2017, the Council voted to place a moratorium on all sales of water from hydrants. This new Resolution repeals the moratorium and allows sales pursuant to our policy. DPW Director Dustin Moma answered Trustees' questions and explained what effect this will have on the Village water supply. Stoker recommended the Council adopt the Resolution and let Moma review the policy.

Motion by Buerman to repeal the moratorium and approve the modified Resolution to Establish Requirements and Rates for Hydrant Rental and Water Sales; seconded by Kinczkowski.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

Motion by Kinczkowski to make the changes to the Hydrant Rental Rates, Fees and Deposits page of the Village of Pinckney Fire Hydrant Meter Policy & Agreement as discussed; seconded by Buerman.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

4) LIBRARY BOARD APPOINTMENT

The Pinckney Community Public Library Board of Trustees received resignation from a Village appointee. After following the steps to acquire a replacement, the President of the Board recommends the Village appoint Judy Wismont to fill the vacancy.

Motion by Buerman to accept Judy Wismont as Village appointee to the Pinckney Community Public Library Board of Trustees; seconded by Spencer.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

5) CHANGE ORDER NO. 2 NW QUADRANT INFRASTRUCTURE IMPROVEMENTS

This change order adds the fees included for the residents who were hooked up to Village water.

Motion by Kinczkowski to pay the amount of \$10,390.00 as requested in Change Order 2; seconded by Buerman.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

6) C&D HUGHES PAY ESTIMATE NO. 9 (NW QUADRANT INFRASTRUCTURE)

Motion by Spencer to approve payment of Pay Estimate No. 9 in the amount of \$160,518.03; seconded by Conquest.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

7) WOLVERINE INVOICES

Motion by Kinczkowski to approve payment of the Wolverine invoices for a total of \$24,600.91; seconded by Spencer.

Yeas: Bierman, Conquest, Kinczkowski, Spencer and Lavey

Nays: Buerman

Absent: Matson

Motion carried in a roll call vote.

8) PARKING EASEMENT

President Lavey had the Village attorney draw up a temporary easement with Cooke Coaching, LLC, owner of Trufit, which will allow businesses additional parking space during the N. Howell St. project at no cost to the Village.

Motion by Buerman to accept the Temporary Parking Easement between Cooke Coaching L.L.C., Jennifer Cooke and the Village of Pinckney as presented; seconded by Bierman.

Yeas: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey

Nays: None

Absent: Matson

Motion carried in a roll call vote.

PUBLIC FORUM

Public forum was opened at 8:59 p.m.

No one wished to speak.

Public forum was closed at 9:00 p.m.

Meeting Adjourned at 9:00 p.m.

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Approval Date

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Jill Chapman  
Village Clerk

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Linda E. Lavey  
Village President