

**Village of Pinckney  
Regular Council Meeting  
December 11, 2023**

President Lavey called the meeting to order in Village Council Chambers at 220 S. Howell, Pinckney, at 7:00 p.m. on December 11, 2023.

**ROLL CALL:**

Present: Bierman, Buerman, Conquest, Kinczkowski, Matson, Spencer and Lavey

Also Present: J. Chapman (Clerk), J. Durkin (Zoning Administrator), J. Garrison (Police Chief), D. Moma (DPW Director) and D. Stoker (Village Attorney)

**PLEDGE OF ALLEGIANCE**

**PUBLIC FORUM:**

Public Forum opened at 7:01 p.m.

Joan Schram, resident of Putnam Township, wished to voice her displeasure over adding a microbusiness to the community. She'd prefer to see activities for youth like the park that was built in Stockbridge recently. She also wanted to know what guarantees the Village had for keeping this business from ending up like The Means project. She feels portions of the revenues should be set aside for programs for the community and youth. She is disappointed in the direction we're going.

Darlene Ciampa, 1047 Town Trail, said she sent an email to the Village Planning Commission, Council and Zoning last week to object to the microbusiness. She moved here from Walled Lake to get away from this sort of thing. She feels this type of business is better left to bigger cities and that it's too close to schools and her Church. As a runner, she wants to enjoy the parks and trails in the area without smelling marihuana. She's certain kids will find ways to get marihuana and that the area will be negatively affected by the addition of a microbusiness.

Council members explained how the vote was brought to the Village and how the Village, in turn, tried to limit the number of licenses available. Also discussed was that the Village can't control progress on buildings or businesses in the Village.

Rachel Edwards, 9691 Scholar Drive, said she and her husband moved here specifically looking for a small town with a safe and drug-free atmosphere. She is concerned with the number of vacant businesses in the surrounding area and feels that the marihuana industry, already saturated and causing a number of businesses to shut down, is not the best choice of business to open here.

More discussion was had over the way the Ordinance allowing marihuana licenses came about by both Council members and the Village attorney.

Rick Beaudin, 9676 Zukey Drive, spoke at last week's meeting. He understands that the microbusiness was approved. His biggest concern is making sure that this project will be finished.

Curt Lytwyn, Northville, is Marco's father. He is licensed with the State of Michigan and owns a marihuana business. He feels there are some misconceptions that he'd like to clear up. He mentioned various contributions his business has made recently. He assured us the smells will be kept under control as that is something that is heavily regulated by the State. He assured us that Marco met all the Village's requirements. He believes this type of business is geared towards a mutually beneficial relationship between the business and the Village and that it's important to keep up good community relations.

Public Forum closed at 7:26 p.m.

#### CONSENT AGENDA:

President Lavey mentioned a couple of things to note. There will be no Council meeting on Memorial Day, so there will only be one Council meeting in May.

Motion by Buerman to approve the Consent Agenda as presented; seconded by Bierman.

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

Nays: None

Motion carried in a roll call vote.

#### PRESIDENT'S REPORT:

Wreaths Across America is this Saturday at noon. It's a nice ceremony, complete with a short speech, 21-gun salute and handing out of wreaths.

Village offices will be closed between the holidays, from December 22 through January 1.

There is no second Council meeting in December.

The Personnel Committee meets next on Wednesday at 5:00.

The Village holiday party is next Tuesday, December 19. RSVP to Jill.

#### DEPARTMENT HEAD REPORTS:

DPW Director Moma reports the projects are done.

New pumps for Lift Station Three arrived last week and will be installed this Thursday. He has resolved the rag issues they had there. There will be no disruption of service during the installation.

Garlands are up through town.

Everything is ready for snow.

Police Chief Garrison reports there is a new reserve graduating from the Police Reserve Academy on the 16<sup>th</sup> which Chief will attend. Sgt. Trenkle will attend Wreaths Across America the same day.

Hamburg is about to steal C.J. Stoeher from the Village.

Our new car is at the upfitter now. Chief is waiting for a call to take the oldest car out of service so it can go to the upfitters.

#### COMMITTEE REPORTS:

There was a Personnel Committee meeting held. Minutes are in the packet.

#### AGENDA:

##### 1) 245 PEARL SIDEWALK DISPUTE

Some sidewalk work was done in 2019. Four slabs of sidewalk were fixed, but the foam that was deposited under the sidewalk continued to expand, causing two of the slabs to break. The homeowners called the Village when this happened and were told they had to pay for the work done. This year, more sidewalk work was done. The homeowners feel the damage that was fixed this year was caused by the foam installation back in 2019, and they are disputing the fee of \$1,531.35.

Motion by Kinczkowski to hold homeowner responsible for the original sidewalk work that was done in 2019, but to waive the fee of \$1,531.35 that was charged for work done in 2023; seconded by Bierman.

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

Nays: None

Motion carried in a roll call vote.

##### 2) BUDGET AMENDMENT

Council Trustees were given the chance to ask questions about the budget amendment, taking place halfway through the fiscal year. There were a couple of major adjustments. Refuse was not well-funded, being brand new, and a new vac truck was purchased. Lots of money was taken, as well, from the highway fund and local roads.

Motion by Spencer to approve the Resolution to Amend 2023-2024 Budget; seconded by Matson.

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

Nays: None

Motion carried in a roll call vote.

##### 3) COUNCIL COMMITTEES FOR 2024

Motion by Matson to accept the current roster of Council Committees, to be filled through December of 2024; seconded by Kinczkowski.

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

Nays: None

Motion carried in a roll call vote.

##### 4) SPECIAL LAND USE REQUEST FOR 1268 EAST MAIN STREET

Zoning Administrator Durkin explained how the Planning Commission held a public hearing, took testimony, and reviewed the Village Planner's report, which recommended approval of the Special Land Use with five conditions. There are certain subsections of our retail areas that are addressed in our Master plan, and these are items the Planner felt

were beneficial to this site. The applicant did an outstanding job presenting a complete package.

Motion by Kinczkowski to approve the Special Land Use Request for 1268 East Main Street, including the five conditions set forth by the Planning Commission; seconded by Matson.

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

Nays: None

Motion carried in a roll call vote.

#### 5) DPW LOT LEASE AGREEMENT

DPW Director Moma was approached by a company to use part of the DPW lot for parking their equipment at night. This company is an electric contractor who has leased space before. The contract agreed to is for \$2,000/month.

Motion by Spencer to approve the Agreement as presented; seconded by Bierman.

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

Nays: None

Motion carried in a roll call vote.

#### 6) SIGN ORDINANCE

Discussion was had as to the issues that have caused the passage of this Ordinance to take so long. Attorney Stoker explained the changes in the temporary sign section that have most recently been made.

Motion by Kinczkowski to accept the Sign Ordinance as presented; seconded by Conquest.

Yeas: Kinczkowski and Lavey

Nays: Bierman, Buerman, Conquest, Matson and Spencer

Motion not carried.

More discussion was then had about temporary signs and the number of temporary signs allowed, specifically Table 3 on page 15.

Motion by Matson to adopt the Sign Ordinance, changing the number of temporary signs permitted in Districts R1, R2, R3 and R4 to fourteen signs per parcel; seconded by Kinczkowski.

Yeas: Conquest, Kinczkowski, Matson and Lavey

Nays: Bierman, Buerman and Spencer

Motion carried in a roll call vote.

#### 7) CHANGE ORDER NO. 3 N. HOWELL STREET RECONSTRUCTION PROJECT

Motion by Bierman to approve Change Order No. 3 as presented; seconded by Spencer.

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

Nays: None

Motion carried in a roll call vote.

8) PAY ESTIMATE NO. 3 N. HOWELL RECONSTRUCTION PROJECT

Motion by Kinczkowski to approve the payment of \$29,555.24; seconded by Bierman.

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

Nays: None

Motion carried in a roll call vote.

9) CHANGE ORDER NO. 4 NW QUADRANT INFRASTRUCTURE IMPROVEMENTS

Motion by Kinczkowski to approve Change Order No. 4 as presented; seconded by Spencer.

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

Nays: None

Motion carried in a roll call vote.

10) PAY ESTIMATE NO. 13 NW QUADRANT INFRASTRUCTURE IMPROVEMENTS

Motion by Kinczkowski to approve the payment of \$38,712.99; seconded by Matson.

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

Nays: None

Motion carried in a roll call vote.

11) WOLVERINE INVOICES

Motion by Matson to approve the payment of \$24,544.87; seconded by Kinczkowski.

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

Nays: None

Motion carried in a roll call vote.

Village Attorney Stoker provided an update on the cell tower agreement. A power line goes across DeLapp Lane, and recent deeds showed we didn't own that strip of property. Our Agreement would allow ingress and egress to the property, but we needed to be certain we owned that. Just today, Stoker found a deed from Samuel DeLapp granting the Village an area 36 feet wide which clears the issue. Wolverine is redoing surveys and we don't have a new legal description yet, so this will likely come back at a January meeting. It'll take a little while to get everything completed, but the Village could get some money by the end of the winter.

PUBLIC FORUM

Public forum was opened at 8:50 p.m.

An update on the Means project was requested along with the Village's plan moving forward. All we know is that they are currently in litigation. Attorney Stoker answered that all the Village permits have timelines.

Art in the Park application was confirmed approved.

Public forum was closed at 8:52 p.m.

Meeting Adjourned at 8:52 p.m.

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Approval Date

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Jill Chapman  
Village Clerk

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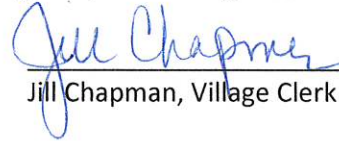
Linda E. Lavey  
Village President



VILLAGE OF  
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I hereby certify that the foregoing Motion to Agenda Item No. 4, Special Land Use Request for 1268 East Main Street, constitutes a true and complete copy of a Motion adopted by the Village of Pinckney Village Council, Village of Pinckney, Livingston County, Michigan, at a regular meeting held on December 11, 2023, at which a quorum was present, held in accordance with the requirements of the State of Michigan Open Meetings Act.

  
Jill Chapman, Village Clerk